

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

PO Box 234
Cedar BC V9X 1W1
July 25, 2001

RE: Bylaw 1240, Area A OCP, 2001

Members of the Board of the RDN:

I support the proposed Bylaw, and consider that a thorough and conscientious job has been done by all concerned in gathering and representing the true wishes of Area A's residents for the future of their community and lifestyle. I consider that abundant opportunity was provided for residents to make their wishes and concerns known prior to the Public Hearing, so as to work for change in a positive and consensus-building way. I contribute one substantive recommendation for further improvement of the Bylaw, as well as some minor observations left outstanding from the drafting process:

Property Tax incentives to encourage protection of the natural environment:
Policy 6 of Section 3 (Environment) speaks to this point, but only to **encourage** landowners to pursue the objective. I believe that if the municipal and provincial government is going to direct landowners to make certain changes or forego some latitude on their private property, the municipal government on behalf of the general population must go to bat for the landowner. I feel that Policy 6 must be strengthened to state that the **RDN will actively pursue, assist and endorse** initiatives to seek tax concessions in response to land-use decisions which are taken primarily to benefit the natural environment. It is fundamental to the achievement of conservation goals to give credit where credit is due, and to recognize in a meaningful way any steps taken to get there. Property tax reduction is an exceptionally tangible method.

Minor corrections

Section 3, p 1, para 1: the OCP says "ambience of the rural nature of the Area". This is poor syntax; one could say the "rural ambience of the Area" or something similar, but the current phrasing is redundant

Section 3, p 1, para 1: the OCP says "The OCP designates streams, Eagle and Heron" etc etc. The implication is that all streams are so designated, whereas Map 5 makes it clear that only some, not all Area streams are designated. It would be correct to state that "certain" streams are so designated.

Section 6, p5, Policy 4: the first sentence is thoroughly confusing, and I wager that nobody in the community knows what referendum question they are supporting in this Policy. This must be rephrased to improve legibility.

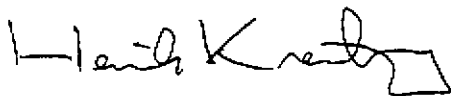
Appendix A, p3, list of actions: "Initiate the need for a user survey" - should read "initiate a user survey"

Appendix B, p 6, para "Area": the Village Center Area is bounded, not bound

Appendix B, p 8, Exemption 1: "airside" uses is not a defined term, and some clarification is certainly required to know what is exempted

END COMMENTS

Yours sincerely,

A handwritten signature in black ink, appearing to read "Henrik Kreiberg". The signature is fluid and cursive, with a distinct loop at the end.

Henrik Kreiberg
(member, Area A 2001 OCP Community Advisory Committee)

The permitted land uses of Rural Residential properties ^{have} ~~has~~ been revised in the new OCP, to eliminate agriculture and silviculture, and add home based business uses. RDN staff has indicated that the new OCP does not say land uses are **limited to** these 2 uses, and the area is rural, so farming would be allowed. If this is the case, the wording should be changed to include agriculture and silviculture.

On our property at 2080 Pace Road we have a small seasonal stream that runs for approximately 5 months of the year. In the new OCP, 15 metres on each side of this stream is designated as part of development permit area #5. In Development Permit Area #5, a development permit will be required for any development or alteration to land. Appendix B p. 13 – *Alteration of land* includes removal, alteration, or disruption of vegetation, and soil deposit or removal. We understand that property owners who are not farmers will not be allowed to garden or cut their grass within 15 metres of a stream. A single trail may be made through the Development Permit Area, as long as it provides the most direct route through the 30 metre wide Area. We feel this is overkill and completely unnecessary for a seasonal stream which is not fish-bearing.

Jody, from the Habitat Branch of the Ministry of Water, Land and Air Protection, has indicated that the provincial government will be publishing an implementation guide regarding the Streamside Protection Regulations, probably in October.

Joyce Murray, Minister of Water, Land and Air Protection, will be briefed on the Fish Protection Act and the Streamside Protection Regulations starting next week. Jamie Elmhirst, her ministerial assistant, has indicated that the Act and Regulations will be reviewed with other closely related ministries, such as Agriculture, Food and Fisheries.

Members of the government caucus have concerns about the Fish Protection Act, because they do not feel that rules which are being enforced for the public good should have their costs borne by individual private landowners instead of the public as a whole.

Once they have completed their review process, they will be revising the Fish Protection Act, with changes probably being made in the spring sitting of the legislature.

We would like the Regional District Board Members to defer the changes to the OCP for approximately one year, until the Provincial Government has completed its review and changes to the Fish Protection Act, because this is the authority under which most of these changes are being made.

BRUCE + DOROTHY KELT
7/25/01



"THIS IS THE ONLY COPY YOU WILL RECEIVE UNLESS YOU REQUEST THE ORIGINAL."

File: 06 002 21244

July 24, 2001

Susan Cormie
Regional District of Nanaimo
6300 Hammond Bay Road
NANAIMO BRITISH COLUMBIA V9T 6N2

PLANNING DEPT
-07- 24 2001
RECEIVED

VIA FACSIMILE - 2 Pages - (250) 390-7511

Re: Electoral Area 'A' Official Community Plan

As requested, this document has been reviewed by the Ministry with the following comments:

- 1) It is suggested that the wording along the lines of the section below form part of Section 4, 'Improving Mobility':

Proposed Transportation Plan

The Trans Canada Highway is the Provincial highway component in this area's road network. It has a 4-lane cross-section, which over the longer term, is proposed to be upgraded to an expressway/freeway standard. The Trans Canada Highway through this area has numerous access points and intersections, with two of them at Timberlands and Morden Roads equipped with traffic signals. Ongoing rationalization and consolidation of intersections will be required to maintain acceptable safety standards on the Trans Canada Highway.

The two major roads in this area are Cedar Road and Yellow Point Road. They will need to be 4-laned as developments evolve and/or to meet increased traffic needs. The remaining major and secondary roads, as two lanes, should adequately serve the traffic needs of the area for the foreseeable future. (However, this will not necessarily preclude the upgrading of portions of these latter facilities from two to four lanes if conditions warrant.) Access management forms part of the ongoing process in the upgrading and maintenance of the network system.

2/...

Document ID
Ministry of
Transportation

Central Island District

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6475 Metral Drive
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Development Approvals
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PAGE 29

July 24, 2001

Page 2

File No.: 06 002 21244

As shown on Map No. 4, there are areas under review by the Ministry of Transportation, notably the site in the vicinity of the Nanaimo Airport. Future upgrading could include minor realignment of the Trans Canada Highway adjacent to the Airport and some road network revisions in this area to better serve the Province, local businesses and the community.

- 2) The Regional District of Nanaimo should be advised that the Ministry's name has been revised to the Ministry of Transportation (MoT).

Sec. 4 – Page 1, Policies 2 – There needs to be a statement in this section that the Ministry of Transportation is the roads authority and the implementation of road standards is in agreement with the MoT for Urban Nodes only.

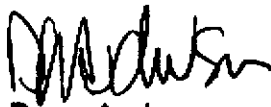
Sec. 5 – Page 5 4. – This should be removed or amended to state that future subdivision of land designated Industrial Lands shall not be encouraged.

Sec. 5 – Page 7 7(d). – The required landscaping should be carried out in such a manner as to not impede sight distances on the Trans Canada Highway and the entrance to the Airport. This state shall include all access/intersection sight-line protection to ensure safety of the travelling public.

Sec. 5 – Page 7 10. – The Ministry of Transportation should be invited to review any traffic impact study.

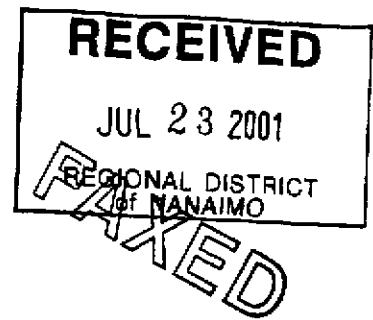
Should you have any questions, please do not hesitate to call me at (250) 390-6291.

Yours truly,



Dean Anderson
Sr. District Development Technician

DA/kp



July 19, 2001

Your File: Bylaw No. 1240, 2001

WLAP File: 58000-35/05-RD19A

Referral: 2001VIN0975

Regional District of Nanaimo
PO Box 40
Lantzville, BC V0R 2H0

ATTENTION: Susan Cormie, Senior Planner

Dear Susan Cormie:

Re: Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001

We have reviewed the draft Area "A" OCP, dated June 7, 2001, from the perspective of the Ministry of Water Land and Air Protection. Please note that all references to the Ministry of Environment, Lands and Parks, should now be changed in the document.

We acknowledge the enormous time and effort the Regional District staff has put into developing a consensus document for this community. This process has encountered many challenges and hopefully, has resulted in a greater understanding by all affected agencies and residents of the interests and greater community good. While we can appreciate this effort, we do still have a few remarks we feel must be considered in the final version.

Section 3: Protecting the Natural Environment

Page 1: Environmental features that are to be protected under Development Permit Areas

Please note that protection of eagle and heron nest trees with only a 60 to 100 metre Development Permit (DP) buffer does very little to ensure species or habitat protection. The current BC Wildlife Act prohibits disturbance of birds, their eggs or their nests of eagle heron, osprey, peregrine, gyrfalcon and burrowing owl. If we can prove the nest was in a tree, there is also now legal precedent for protection of the tree in which the nest resides. The defined DP is consistent only with the bare minimum identified by our BMP's to prevent disturbance of the roots from development and property damage in the event it falls. The

.../2

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Ministry of
Water, Land and Air
Protection

Vancouver Island Region

Mailing Address:
2080A Labieux Road
Nanaimo BC V9T 6J9

Telephone: 250 751-3111
Facsimile: 250 751-3111

PAGE 8/

DPA will not however, prevent human activities from causing abandonment of the nest during the nesting period, which could result in charges under the *Wildlife Act*. In an effort to prevent these conflicts, minimize resource losses, and to be consistent with the Vancouver Island Region Environmental Objectives, Best Management Practices and Requirements for Environmental Protection, we recommend that these DPA's include a buffer that would establish vegetated buffers extending a radius of between 100 and 200 metres, depending on the species (see BMP Page 13). Wherever possible the minimum buffers should be protected.

In addition to noting that streams provide domestic and agricultural related water supplies and recreation opportunities noted in the third paragraph in Section 3, page 1, the document should bring out that protecting stream channels also serves to maintain stable channels and help to prevent or moderate flooding.

Other than general statements regarding protection of the aquifers located in the Cedar area (fourth paragraph, Section 3, page 1), the document provides little direction regarding stormwater management. It is recommended that the RDN initiate an Integrated Stormwater Management Plan for the plan area and that at least some of the Best Management Practices identified starting on page 30 of our BMP document be incorporated into this document.

Page 2: Policies

Item No. 3: Again if the DP does not also include a buffer for the tree(s), it does nothing more than the *Wildlife Act* already provides.

Item No. 6: We would only support the award of tax initiatives, in the event the landowner agreed to protect Section 34 nest trees in addition to an appropriately sized buffer.

Item No. 7 to 12: We support these policies that ensure no impacts on surface and groundwater as well as providing for stormwater management.

Should you have any questions regarding our comments, please contact Margaret Henigman at 250 751-3214.

Yours truly,



Diane Elliott
Planning and Referrals Technician
Planning and Assessment Section
Vancouver Island Region

Cormie, Susan

From: Beetstra, Marion
Sent: Wednesday, July 04, 2001 9:49 AM
To: Cormie, Susan
Subject: FW: ATTENTION: Susan Cormie RE: Electoral A OCP Bylaw No. 1240, 2001

-----Original Message-----

From: Jakobsen, Dorthe EM:EX [mailto:Dorthe.Jakobsen@gems9.gov.bc.ca]
Sent: Wednesday, July 04, 2001 9:33 AM
To: 'planning@rdn.bc.ca'
Subject: ATTENTION: Susan Cormie RE: Electoral A OCP Bylaw No. 1240, 2001

Hi Susan:

Thanks for letting me have an extra week to comment on this Bylaw. I was very pleased with this draft of the Bylaw, again, job well done.

My comments are as follows:

Section 5 Page 2 - Policies

#5 - It would be a little more flexible to say that "the plan discourages the location of mineral or aggregate processing facilities in close proximity..... ". There are some circumstances under which it may not be a problem, conditions can be attached to permits which mitigate a variety of concerns. Also, there should be an exact definition of "close proximity" so that the Bylaw can be implemented.

#8 - d. Should say: if required

e. Should say: if required

g. Should say: "Where gravel removal and processing are required in conjunction with the manufacture of asphalt product, all requirements for the Notice of Work and Reclamation Permit under the Mines Act administered by the Ministry of Energy and Mines, including provisions for rehabilitation of the site after completion, must be satisfied; and"

h. It was my understanding that primary processing is a permitted use on lands designated rural resource, in which case this last policy is unnecessary.

The OCP should say something about recognizing and supporting existing and future aggregate operations since this is an important resource for community growth and maintenance of infrastructure.

Finally I reiterate my earlier comments:

1) MEM respectfully requests that operations properly permitted by the province be exempt from the necessity of acquiring a Development Permit from the Regional District. MEM will continue to work with the Regional District, through the referral process, on mining and mineral exploration proposals involving significant mechanical disturbance and aggregate operations.

2) MEM respectfully requests that the following paragraph be included in this OCP and the subsequent bylaws:

"Any mineral or mining management activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified a ~~mineral~~ "mineral" under the Mineral Tenure Act or a "mine" under the Mines Act, shall not be restricted by any terms or conditions of this OCP (or bylaw) so long as the Ministry of Energy and Mines or other appropriate provincial agency manages the activities and land for that purpose."

Regards,
Dorthe Jakobsen, P.Geo.
Mineral Planning Geologist
Mines Branch, Nanaimo
ph (250) 751-7379

Susan Cormie
Senior Planner
Regional District of Nanaimo
Box 40
Lantzville, BC VOR 2H0

June 18, 2001

PLANNING DEPT
-06- 25 2001
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Dear Susan:

Re: Electoral Area A Official Community Plan Bylaw No. 1240, 2001

Thank you for the opportunity to review the Plan. The vision for the Plan area and the balance of the Plan, is supportive of maintaining the agricultural landscapes and protecting them for present and future agricultural use. Well done! Except for Policy #13 Section 3, noted below, the Ministry of Agriculture Food and Fisheries (MAFF) supports the adoption of the Plan.

One of the best ways of preserving agricultural landscapes is to ensure the land is actively farmed. The next question then is how to encourage agricultural uses in the Plan area. Why should OCPs give consideration to encouraging agriculture? Generally it is better for both consumers and the environment to produce agricultural products locally than to produce them many miles from where they are consumed. Transporting agricultural products long distances contributes to the release of greenhouse gases. In the event that energy costs rise significantly, it could become a lot more expensive to bring agricultural products to the Regional District.

Maybe the OCP should give consideration to how the broader Community will become sustainable rather than only supporting sustainable agriculture! The Cedar area could regain its position as one of the bread baskets to the population of the RDN. One possibility for helping to achieve this objective is for the Regional District to complete an Agricultural Strategy that includes encouragement of agriculture in each of the Official Community Plans. MAFF may be able to provide some funding or assist the Regional District in finding funding for completion of an Agricultural Plan. Both the Municipality of North Cowichan and the Comox Strathcona Regional District are in the process of developing Agricultural Plans.

Section 2, Protecting Rural Integrity: Policy 3 - In order to have viable farm operations of sufficient economies of size to provide farm families with a livelihood, larger parcel sizes are needed. Stating a 8 hectare versus a 50 hectare minimum for land in the ALR could result in speculation on larger parcels for future subdivision. This is not in agreement with the Plans, Vision, Values or Objectives. MAFF suggests a minimum lot size of 50 hectares noting that there are many lots below this minimum suggested lot size.

Section 2, Rural Resource Lands: How does allowing secondary temporary residences for relatives maintain rural integrity? I refer to the Land Reserve Commission and General Order # 1622/83 on this point.

Section 3, Policy #13: Protecting the Natural Environment, should be removed from the Plan. The comment most likely reflects upland owners concerns regarding view-scapes rather than protection of the natural environment. Shellfish farms are not known to be environmentally unfriendly, furthermore they must pass through a sustainable site review before licensing. Our Minister would be encouraged not to sign off on a Bylaw Amendment described in this Policy. Please talk to Joe Truscott, of Fisheries at 387-9570 to further discuss this point. Joe will also be responding to you regarding this Issue.

Section 5, Nanaimo Regional Airport: Portions of the Airport Lands have relatively high agricultural capability. Uses of these high capability lands that do not compromise their long term productivity should be encouraged. The higher agricultural capability lands should be identified for future consideration. Note that the Victoria Airport leases portions of its land base out for agricultural use.

Section 6, Policy 3, Trails: Where will they be located and will users be encouraged to use respect, will they transect farming operations? The RDN is encouraged to communicate with the Cedar Farmers Institute when developing Trail Plans for the area. Some Farmers near trails have supplemented their direct farm marketing activities through customers visiting from the trail system. Generally, however, there are conflicts between farmers and users of established trail systems.

Thank you for giving Agriculture consideration in the Area A Plan.

Yours Truly



Wayne Haddow, PAg.
Regional Agrologist

cc: Roger Cheetham, LRC

File: 12640-50 /NRD

June 11, 2001

PLANING DEPT
-06-14 2001
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ELECTORAL AREA 'A' – PROPOSED OFFICIAL COMMUNITY PLAN

Susan Cormie, Senior Planner
Nanaimo Regional District
P.O. Box 40
Lantzville, British Columbia
V0R 2H0

Dear Susan Cormie:

Thank you for the opportunity to provide comments on the proposed Electoral Area 'A' Official Community Plan Bylaw No 1240.

I have reviewed the proposed OCP and wish to advise you that there is no provincial forest land located within the area of the plan. The Ministry of Forests supports the adoption of the Electoral Area 'A' OCP.



You have identified the numerous parcels of land within the Forest Land Reserve (FLR) and as such I would recommend a copy of the Plan be referred to the Land Commission. As you are aware, all lands within the FLR are subject to the provisions of the *Forest Land Reserve Act*, regulations and orders of the Land Commission which allow forest management activities including timber production and harvesting, and restrict most non-forest uses.

The following comments relate to the rural resource zone designation of the OCP:

Possible Objectives for the Rural Resource Zone:

- Recognize and protect the needs and activities of forestry operations when considering uses on adjacent lands.
- Suggest and support the public's use of private forested lands for recreational enjoyment where permission of the landowner can be secured.

Page 1 of 2

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Ministry of
Forests

South Island Forest District

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4885 Cherry Creek Road
Port Alberni, B.C. V9Y 8E9

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4885 Cherry Creek Road
Port Alberni, B.C. V9Y 8E9

Tel: (250) 731-3000
Fax: 250) 731-3010

PAGE
87

Possible Policies for the Rural Resource Zone:

- LC application referrals will be directed to the Regional District Board for comment.
- Forestry or mining related structures and buildings or the storage of machinery on lands within the forestry zone shall be designed and sited to minimize noise, visual and environmental impact.

I hope you find the above comments helpful. If you have any questions or comments, please contact me at 731-3022.

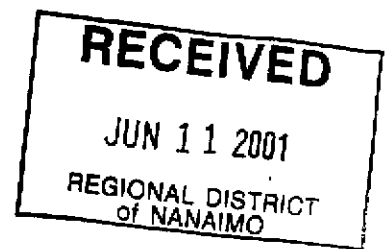
Yours truly,



Emma Neill
Acting Planning Forester
South Island Forest District



Land Reserve Commission
Working Farms, Working Forests



June 6, 2001

Reply to the attention of Roger Cheetham

Susan Cormie
Senior Planner
Regional District of Nanaimo
6300 Hammond Bay Road
P.O. Box 40
Lantzville, BC VOR 2H0

Dear Madam:

Re: Electoral Area 'A' Official Community Plan No. 1240, 2001
Our Ref: #S-33817

Thank you for your letter dated 31st May 2001. As discussed with you the Commission will only be able to review the plan during the week commencing 25th June 2001. Accordingly, as with our previous letter dated 7th May 2001, the comments in this letter are those of the Commission staff. However in view of the support in the plan for agriculture and forestry we do not anticipate that the Commission is likely to raise any issues of major concern.

We are pleased to note the changes that you have made and once again wish to compliment you on a plan, which is very supportive of agriculture and forestry. We do not consider the issues that remain to be of sufficient importance to warrant further discussion with the Regional District. However, in the event that consideration is given to the delegation of decision making powers from the Commission to the Regional Board in terms of Section 23 of the ALR Act some issues including minimum parcel sizes and the number of residences permitted on one parcel would need further discussion.

Yours truly,

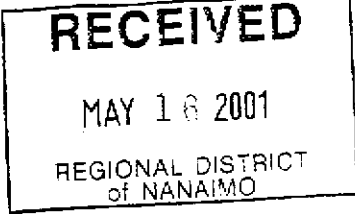
LAND RESERVE COMMISSION

per:


K. B. Miller, Chief Executive Officer

cc Wayne Haddow, Regional Agrologist, Ministry of Agriculture, Food & Fisheries, Duncan

RC/de



File: 06 002 21244

May 14, 2001

REGIONAL DISTRICT OF NANAIMO
6300 HAMMOND BY ROAD
NANAIMO BC v9t 6n2

Attention: Susan Cormie
Senior Planner

Re: Electoral Area "A" Draft Official Community Plan

Further to your fax of May 4th, 2001, and our subsequent conversation today, the Ministry is agreeable to the area around Vowels Road/Haslam Creek Road and Cedar Road/Hemer Road being illustrated as "Under Review" box regarding Secondary Road proposal. This still identifies the area for future review in determining possible secondary road alignments in the areas as noted in your fax.

I hope the above helps you in forwarding the Official Community Plan. Should you have any further questions please do not hesitate to contact myself at (250) 390-6291.

If you have any questions, please do not hesitate to contact me at (250) 390-6274.

Yours truly,

Dean Anderson
Sr. District Development Technician

DA:mw

Cc: R. Howat, Provincial Approving Officer – Vancouver Island Region
Cc: M. Nanton, Transportation Planning Engineer, - Vancouver Island Region
Cc: C. Fradin, District Development Technician – Central Island

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Ministry of
Transportation
And Highways

Central Island District

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Development Approvals
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JUL 04 2001

REGIONAL DISTRICT
of NANAIMO

June 29, 2001

Regional District of Nanaimo
Box 40
LANTZVILLE, BC V0R 2H0

Attention: Susan Cormie
Senior Planner

Dear Susan Cormie:

Re: Proposed Cedar Official Community Plan

Please be advised that the Board of the Cowichan Valley Regional District, at its regular meeting of June 27, 2001, made the following resolution:

"That the Regional District of Nanaimo be informed that the CVRD does not object to the adoption of proposed Official Community Plan Bylaw No. 1240, 2001."

If you have any questions or comments regarding the above-noted resolution, do not hesitate to contact me at your convenience.

Yours truly,

Catherine Johnnie
Long Range Planner
Development Services Department

CJ/mca

pc: Director M. Marcotte, Electoral Area H – North Oyster/Diamond

COWICHAN VALLEY REGIONAL DISTRICT

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Duncan, BC
V9L 1P5

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DEVELOPMENT SERVICES
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91



REGIONAL DISTRICT OF NANAIMO		
AUG -7 2001		
CHAIR		GMCrS
CAO		GMDS
GMCmS		GMES
		<i>Did</i>

MEMORANDUM

TO: Robert Lapham
General Manager of Development Services

DATE: August 3, 2001

FROM: Pamela Shaw
Manager of Community Planning

FILE: 3360 30 9630 (500.275)

SUBJECT: Amendment Application No. 9630 – Horne Lake License Holders Association on behalf of Texada Land Corporation (Bylaw Amendment Bylaw No. 500.275) Portions of District Lots 251 and 251A and Block 40, Alberni District bordering Horne Lake - Electoral Area 'H'

PURPOSE

To consider the minutes of the Public Hearing held August 1, 2001 with respect to "Bylaw No. 500.275, 2001," and further, to consider Bylaw 500.275 for 3rd reading.

BACKGROUND

Bylaw No. 500.275 was considered by the Board and given 1st and 2nd reading on July 10, 2001.

The purpose of Bylaw 500.275 is to rezone portions of the lands surrounding Horne Lake from Resource Management 1 (RM1) to a Comprehensive Development Zone to allow a maximum of 400 Recreational Residences (registered as individual bare land strata lots) and to allow for a Recreational Vehicle Storage Area. In addition, Bylaw No. 500.275 also proposes the rezoning of the surface of Horne Lake from Water 1 (WA1) to Water 4 (WA4) to allow for docks at a restricted maximum area, height and number. The subdivision district of all lands considered in the rezoning is also proposed to be amended to 'CD9-Minimum Permitted Parcel Size 400 m²'. The subdivision district of all water considered in the rezoning is also proposed to be amended to 'Subdivision District 'Z' - No Further Subdivision'.

It should be noted that a Public Hearing was held on June 4, 2001 on an earlier proposal from the applicant. This proposal was given 3rd reading at the June 2001 Regular Meeting of the Board. Subsequent to that Public Hearing, the applicant approached the RDN and met with the Provincial Approving Officer with an amended proposal. The key difference between this proposal and the June 2001 proposal is the form of tenure for the lots- this proposal requests consideration of a bare land strata subdivision; the earlier proposal requested the Board's consideration of a leased lot tenure.

The revised proposal would still create a new Comprehensive Development Zone and zone the surface of Horne Lake as previously proposed; however, the revised proposal facilitates the subdivision of the individual cabin sites into bare land strata lots. In order to accommodate the proposed strata subdivision, amendments to the Bylaw are required to provide for an initial subdivision of the Forest Land Reserve from the proposed strata lots. The Bylaw also must be amended to provide for the subdivision of the 400 individual strata lots and establish new lot line setbacks.

The balance of the subject properties will remain within the FLR and be managed as forest within the Resource Management zone. As part of the proposal, the applicant will transfer approximately 270 acres,

included within Block 40, Alberni District, (including the existing campground) to the Regional District as Regional Park.

The rezoning is also intended to resolve a number of outstanding issues with provincial and federal government agencies. These issues and the required agreements are outlined in *Schedule '1'*.

The Public Hearing concerning the proposed amendment was held August 1, 2001. A summary of the proceedings is attached for the Board's consideration (*see Attachment No. 1- Summary of the Proceedings, including Written Submissions Received*).

ALTERNATIVES

1. To grant 3rd reading to Bylaw No. 500.275 and, upon completion of the conditions outlined in Schedule 1, to consider Bylaw No. 500.275 for adoption.
2. To deny Bylaw 500.275.

DEVELOPMENT IMPLICATIONS

From the outset of the application process, staff have worked with the applicant to address referral agency concerns through the restriction of development around Horne Lake to a recreational use. In order to maintain the recreational use of the cabins, the proposed comprehensive development zone and agreements will limit cabin size, restrict siting and height, ensure full collection of wastewater and sewage by pump and haul, and regulate the length of occupancy. In addition, future public access to trails and the transfer of approximately 270 acres to the Regional District as park will be secured as part of the application. The request to amend the bylaw to permit a bare land strata subdivision will contain the same provisions needed to regulate land use but will provide for a more secure form of tenure for future cabin owners.

Should the bylaw be granted 3rd reading, a development permit application will be submitted and reviewed to resolve other outstanding issues related to the protection of vegetation within the riparian area around the lake, to establish guidelines for erosion protection, and to recognize the siting of some of the cabins on the lands.

LEGAL IMPLICATIONS

As established in previous reports, the proposed amendments to the bylaw will resolve the land use contraventions with respect to the current zoning and development permit area designation. The amendments will also facilitate a resolution of the litigation between Texada Land Corporation vs. the Department of Fisheries and Oceans Canada and the Ministry of Water, Land and Air Protection.

The flood control provisions of Bylaw No. 500.275 are being established pursuant to Section 910 of the *Local Government Act* and will require the approval of the Ministry of Water, Land and Air Protection.

Remaining unresolved is the present conflict between an existing historic gazette for a trail (66 feet wide) and the location of a large number of existing cabin sites. This is required to be resolved, or secured, prior to consideration of the adoption of the proposed amendment bylaw.

ENVIRONMENTAL IMPLICATIONS

The applicant has completed a limited on-site inspection of environmentally sensitive and hazardous areas with representatives of Fisheries and Oceans Canada and the Ministry of Water, Land and Air Protection. There have been informal areas set aside between cabin sites in proximity to creeks running into the lake. However, the setbacks are, in many cases, contrary to the current development permit guidelines and provincial and federal standards. It is difficult for staff to assess the impact of existing development on environmentally sensitive features on Home Lake without a detailed biological or geotechnical review. It is proposed that a development permit, with general application for the protection of vegetation, lake front development and erosion protection, will be approved in consultation with the Ministry of Water, Land and Air Protection and Fisheries and Oceans Canada.

In addition, individual development permits will be required to consider specific variances requested by cabin owners to allow cabin additions, or relocations to occur, within the zoning setbacks and development permit area. Existing cabins, within the zoning setback, will remain contrary to the zoning until such time as they are relocated or obtain variances.

PUBLIC CONSULTATION IMPLICATIONS

As part of the preparation of the draft bylaw, an open house and public information meeting was held on November 29, 2000 at the Qualicum Beach Community Hall. All Home Lake license holders were direct mailed notification of the meeting and provided an opportunity to contact the Regional District to obtain information. A Public Hearing on the proposed Bylaw was held June 4, 2001, with notification provided via direct mail to licence holders, posting on the RDN web site, and through newspaper advertising pursuant to the *Local Government Act*. Upon a request by the applicant to amend the proposal, a second public hearing was held (on Bylaw No. 500.275) on August 1, 2001. Notification again was provided through the above noted methods. There were no speakers at the August 1, 2001 Public Hearing; the written submission received indicated support for the proposed bylaw.

VOTING

All Directors except Electoral Area 'B' – one vote.

SUMMARY/CONCLUSIONS

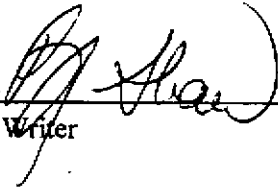
"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001" was given 1st and 2nd reading on July 10, 2001. A Public Hearing with respect to this Bylaw was conducted on August 1, 2001.

The purpose of Bylaw 500.275 is to rezone portions of the lands surrounding Home Lake from Resource Management 1 (RM1) to a Comprehensive Development Zone to allow a maximum of 400 Recreational Residences (registered as individual bare land strata lots) and to allow for a Recreational Vehicle Storage Area. In addition, Bylaw No. 500.275 also proposes the rezoning of the surface of Home Lake from Water 1 (WA1) to Water 4 (WA4) to allow for docks at a restricted maximum area, height and number. The subdivision district of all water considered in the rezoning is also proposed to be amended to 'Z' - no further subdivision. The subdivision district of all lands considered in the rezoning is proposed to be amended to 'CD9 - Minimum Permitted Parcel Size 400 m²'. The balance of the subject properties will remain within the FLR and be managed as forest within the Resource Management zone. As part of the proposal, the applicant will transfer approximately 270 acres, included within Block 40, Alberni District, (including the existing campground) to the Regional District as Regional Park.

While there remains a number of agreements and undertakings yet to be completed (as outlined in *Schedule '1'*), staff would recommend that Bylaw No. 500.275 be considered for 3rd reading subject to the requirements of all provincial and federal agencies being met and all outstanding issues be resolved prior to the Board's consideration of adoption.

RECOMMENDATIONS

1. That the Summary of Proceedings of the Public Hearing held August 1, 2001 on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001," be given 3rd reading and be referred to the Ministry of Water, Land and Air Protection for approval.
3. That staff be directed to secure the conditions as outlined in 'Schedule 1' prior to consideration of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001" for adoption.



Report Writer



General Manager Concurrence

CAO Concurrence

COMMENTS:

reports/development/2001/za3360 30 9630 au brd Texada HLLA 3rd .doc

SCHEDULE NO. 1

Home Lake License Holders Association on behalf of Texada Land Corporation

Application ZA9630

Bylaw Amendment Bylaw No. 500.275

Agreements or undertakings to be secured prior to consideration of adoption of Bylaw No. 500.275.

1. Resolution of the outstanding conflict between the right-of-way (established by gazette) and the cabins located within the Comprehensive Development Zone.
2. The transfer of approximately 270 acres of land within Block 40, Alberni District to the RDN as regional park on the condition that specific uses and the operation of the park will be governed by a RDN park management plan, including provision for up to 200 campsites with an option for the HLLHA to assume the operation subject to the terms and conditions of the plan.
3. A provision for only 377 cabin sites unless evidence is provided that the additional 23 sites can be reasonably accommodated on the lands as determined by the RDN.
4. A new flood construction elevation to be established as part of the zoning with restrictive covenants recognizing the flood risk, establishing new minimum habitable floor elevations and setbacks, including a release and indemnity in favour of the Regional District and other government agencies.
5. A flood reconstruction definition determining the degree of reconstruction that will trigger relocation of existing cabins to the newly established elevation and setback and also ensuring that all new cabin construction meets these requirements.
6. A new local pump and haul service area and conditions for mandatory compliance over a 3-year implementation period according to agreed upon fees and charges.
7. The requirement for a development permit to protect environmentally sensitive and hazardous areas according to current development permit area guidelines and agency referral comments.
8. A letter of understanding agreeing to work toward providing public access opportunities through corridors to be licensed to the RDN.

ATTACHMENT '1'

REGIONAL DISTRICT OF NANAIMO
SUMMARY OF PROCEEDINGS OF A PUBLIC HEARING
HELD WEDNESDAY, AUGUST 1, 2001 AT 7:00 PM
AT THE QUALICUM BEACH CIVIC CENTRE, LOCATED AT 747 JONES ROAD
TO CONSIDER
"REGIONAL DISTRICT OF NANAIMO LAND USE AND SUBDIVISION BYLAW
AMENDMENT BYLAW NO. 500.275, 2001"

Note: these minutes are not a verbatim recording of the proceedings, but are intended to summarize the comments of presenters speaking at the Public Hearing.

PRESENT:

Director R. Quittenton
Director J. MacDonald
Pamela Shaw

Chairperson
Director, City of Parksville
Manager, Community Planning

Attached to these minutes:

Appendix A: Written submissions provided to Bylaw No. 500.275.

There were approximately 11 people in attendance.

The Chairperson, Director Quittenton, called the Hearing to order at 7:00 p.m., introduced those present at the head table.

The Chairperson indicated that the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001" was being held pursuant to the requirements of the *Local Government Act*. The purpose of this public hearing was to allow the public to make representation to the Regional Board respecting matters contained in the proposed Bylaw and that all persons who believed that their interest in property was affected by the proposed Bylaw were afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the Bylaw.

Staff then explained that the intent and purpose of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001" is to rezone portions of the lands surrounding Horne Lake from Resource Management 1 (RM1) to a Comprehensive Development Zone to allow a maximum of 400 Recreational Residences (registered as bare land strata lots) and to allow for a Recreational Vehicle Storage Area. In addition, Bylaw No. 500.275 also proposes the rezoning of the surface of Horne Lake from Water 1 (WA1) to Water 4 (WA4) to allow for docks at a restricted maximum area, height and number. The subdivision district of all lands and water considered in the rezoning is also proposed to be amended to 'Z' - no further subdivision for the water, and 'CD9 - Minimum Permitted Parcel Size 400 m²' for the lands.

The balance of the subject properties will remain within the FLR and be managed as forest within the Resource Management zone. As part of the proposal, the applicant will transfer approximately 270 acres, included within Block 40, Alberni District, (including the existing campground) to the Regional District as Regional Park.

In addition, staff indicated that there are a number of outstanding issues with provincial and federal government agencies that are recommended to be resolved prior to the consideration of this bylaw for adoption.

The Chairperson then read the name of individuals providing written submissions: Murray Hamilton, on behalf of the Horne Lake Licence Holders Association (*see attached*).

The Chairperson then reminded the public that all comments and submissions must be received prior to the close of this public hearing, as the Regional Board cannot consider any comments or submissions received after the close of this public hearing in its decision on Bylaw No. 500.275.

The Chairperson then opened the floor to presentations.

No persons in attendance responded to the invitation for comments or submissions.

The Chairperson called for further comments or submissions a first, second, and third time on the "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.275, 2001" and received no response. There being no further submissions, the Chairperson adjourned the Hearing at 7:05 p.m.

Certified true and correct this 2nd day of August 2001.

Pamela Shaw
Recording Secretary

Director G. Quittenton
Chairperson
Director, Electoral Area 'H'

APPENDIX 'A' WRITTEN SUBMISSIONS

HORNE LAKE LICENSE HOLDERS ASSOCIATION

c/o Horne Lake Recreation Management Ltd.
Murray Hamilton
719 Newcastle Ave., Parksville, B.C. V9P 1G1
250-951-0877 Fax 250-951-0878
Email: murray-hamilton@home.com

August 1, 2001

Board of Directors,
Regional District of Nanaimo,
6300 Hammond Bay Rd.,
Nanaimo, B.C.
V9T 6N2

Dear Sirs:

RE: Bylaw No. 500.275

We are writing in favour of the Bylaw No. 500.275 amending the zoning of Horne Lake to allow a bare land strata subdivision. At a meeting of the Horne Lake License Holders Association on July 22, 2001, the membership unanimously passed a motion directing the executive to pursue bare land strata. We urge the RDN Directors to adopt this bylaw.

Yours truly,


Murray Hamilton



REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE DEVELOPMENT SERVICES COMMITTEE
MEETING HELD ON TUESDAY, JULY 24, 2001, AT 7:30 PM
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, BC

Present:

Director B. Holdom	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Alternate	
Director M. Young	Electoral Area C
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director T. Krall	City of Nanaimo
Director G. Korpan	City of Nanaimo
Alternate	
Director R. Cantelon	City of Nanaimo
Director L. McNabb	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
J. Finnie	General Manager, Environmental Services
C. Mason	General Manager, Corporate Services
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection & Enforcement
D. Trudeau	Manager of Liquid Waste
C. McIver	Manager of Solid Waste
M. Donnelly	Manager of Transportation Services
N. Tonn	Recording Secretary

DELEGATIONS

Tony Ransom, re Relocation of Royal LePage Realty Office, Andover Road – Fairwinds Development Corporation – Area E

Mr. Ransom, representing residents of Andover Road, spoke to the need for a realty office in the area. He noted however, the residents' concerns regarding the placement of a commercial business in a residential neighbourhood.

MOVED Director Cantelon, SECONDED Director Krall, that the delegation be received.

CARRIED

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LATE DELEGATIONS

MOVED Director Stanhope, SECONDED Director McLean, that a late delegation be permitted to address the Committee.

CARRIED

Dave Scott, Fairwinds Community & Resort, re Relocation of Royal Lepage Realty Office, Andover Road – Fairwinds Development Corporation – Area E.

Mr. Scott invited any residents with concerns regarding Temporary Commercial Use Permit No. 0103 and Development Permit application No. 0117 to a public information meeting to be held on August 2, 2001.

MOVED Director Krall, SECONDED Director Sherry, that the delegation be received.

CARRIED

MINUTES

MOVED Director Sherry, SECONDED Director Krall, that the minutes of the regular Development Services Committee meeting held June 19, 2001, be approved.

CARRIED

CORRESPONDENCE/COMMUNICATIONS

Marie Crawford, UBCM, re Premature Building Envelope Failure.

MOVED Director Sherry, SECONDED Director Macdonald, that the correspondence from UBCM with respect to the provincial response to the Board's resolution on Premature Building Envelope Failure, be received.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

Application No. 0115 – McGarrigle/Sims – Admiral Tryon Boulevard – Area G.

MOVED Director Stanhope, SECONDED Director McLean, that Development Permit Application No. 0115, to vary the minimum 'other' lot line setback for the Residential 1 (RS1) zone from 5.0 metres to 0.5 metres and to vary the minimum setback from the natural boundary requirements from 8.0 metres to 7.5 metres pursuant to the RDN's Land Use and Subdivision Bylaw No. 500, 1987; and to vary the Watercourse Protection Development Permit Area setback from the natural boundary pursuant to the French Creek Official Community Plan Bylaw No. 1115, 1998 from 15.0 metres to 3.0 metres to permit the construction of a retaining wall, and to vary the DPA setback from 15.0 metres to 7.5 metres to permit the siting of the dwelling unit for the property legally described as Lot 18, District Lot 28, Nanoose District, Plan VIP62528, be approved subject to the requirements outlined in Schedule '1' and subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

FRONTAGE RELAXATION

Request for Relaxation of the Minimum 10% Perimeter Requirement – Leigh Millan on behalf of Lorraine & Clifford Haslam – 3026 Adshead Road and 2974 Haslam Road – Area A.

MOVED Director Elliott, SECONDED Director McNabb, that the request from Leigh Millan, BCLS, on behalf of Lorraine Haslam and Clifford Haslam, to relax the minimum 10% frontage requirement for the proposed Homesite Severance parcel and the Remainder of Lot 1, Plan VIP69321, as shown on the plan of subdivision prepared by Leigh Millan, be approved.

CARRIED

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Request for Relaxation of the Minimum 10% Perimeter Requirement – Dave Wallace on behalf of 565832 BC Ltd. – off West Road – Area D.

MOVED Director Jepson, SECONDED Director Sherry, that the request from Dave Wallace, BCLS, on behalf of 565832 BC Ltd., to relax the minimum 10% frontage requirement for proposed Lots 4 and 5, as shown on the plan of subdivision of Part of Lot 3, Range 3, Mountain District, Plan VIP57411, be approved.

CARRIED

OTHER

Building Strata Conversion Application – Philip Sopow – 2525 Myles Lake Road – Area C.

MOVED Director Young, SECONDED Director Stanhope, that the request from Philip Sopow, for the building strata conversion as shown on the Sketch Plan of Lot A, Cranberry District, Section 8, Range 3, Plan VIP53510, be approved subject to the conditions being met as set out in Schedule No. 1 of the staff report.

CARRIED

Temporary Commercial Use Permit No. 0103 & Development Permit No. 0117 – Fairwinds Development Corporation – Real Estate Office – Andover Road – Area E.

MOVED Director Holme, SECONDED Director Krall, that Temporary Commercial Use Permit No. 0103 and Development Permit No. 0117, submitted by the Fairwinds Development Corporation Inc. No. 441838 for the property legally described as Lot 56, District Lot 8, Nanoose District, Plan VIP68559, to allow a temporary real estate office use, proceed to a public information meeting prior to the Board's consideration of these permits, subject to the conditions outlined in Schedule No. 1 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

NEW BUSINESS

Zoning Regulations for Mobile and Modular Homes – Columbia Beach.

MOVED Director Stanhope, SECONDED Director Westbroek, that staff be directed to investigate amendment to the zoning bylaw for the Columbia Beach neighbourhood to disallow mobile or modular homes at Columbia Beach.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Sherry, that pursuant to Section 242.2(I)(f) of the *Local Government Act* the Committee proceed to an In Camera Development Services Committee Meeting to consider a matter of litigation or potential litigation affecting the Local Government.

CARRIED

ADJOURNMENT

MOVED Director McNabb, SECONDED Director Sherry, that this meeting terminate.

CARRIED

TIME: 8:16 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD ON TUESDAY, JULY 24, 2001, AT 8:16 P.M. IN THE
COUNCIL CHAMBERS OF THE CITY OF NANAIMO
455 WALLACE STREET, NANAIMO, B.C.

Present:

Director L. Sherry	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Alternate	
Director M. Young	Electoral Area C
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director G. Korpan	City of Nanaimo
Alternate	
Director R. Cantelon	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
J. Finnie	General Manager of Environmental Services
D. Trudeau	Manager of Liquid Waste
C. McIver	Manager of Solid Waste
C. Mason	General Manager of Corporate Services
P. Shaw	Manager of Community Services
M. Donnelly	Manager of Transportation Services
S. Schopp	Manager of Inspection & Enforcement
N. Tonn	Recording Secretary

DELEGATIONS

Patrick Hrushowy, Enviroco Energy Recovery Ltd., re Biomass Energy Facility Proposal.

Mr. Hrushowy distributed information to the Committee members and presented a short overview of Enviroco Energy Recovery's Biomass Energy facility proposal.

MOVED Director-McNabb, SECONDED Director McLean, that the delegation be received.

CARRIED

MINUTES

MOVED Director Krall, SECONDED Director McNabb, that the minutes of the Environmental Services Committee meeting held on Tuesday, June 26, 2001 be adopted.

CARRIED

LIQUID WASTE/UTILITIES

Surfside Sewer LSA Reserve Fund Establishment Bylaw No. 1252.

MOVED Director Stanhope, SECONDED Director Westbrook,:

1. That "Surfside Sewer Local Service Area Reserve Fund Establishment Bylaw No. 1252, 2001" be introduced and receive first three readings.
2. That "Surfside Sewer Local Service Area Reserve Fund Establishment Bylaw No. 1252, 2001", having received three readings, be adopted.

CARRIED

Pacific Shores LSA Reserve Fund Establishment Bylaw No. 1253.

MOVED Director Holme, SECONDED Director McNabb,:

1. That "Pacific Shores Sewer Local Service Area Reserve Fund Establishment Bylaw No. 1253, 2001" be introduced and receive first three readings.
2. That "Pacific Shores Sewer Local Service Area Reserve Fund Establishment Bylaw No. 1253, 2001" having received three readings, be adopted.

CARRIED

Pump & Haul LSA Amendment Bylaw No. 975.23 – Darryl & Julianne Danner – 1926 Sea Otter Place – Area E.

MOVED Director Holme, SECONDED Director McNabb,:

1. That the application for inclusion into the pump and haul service be accepted.
2. That "Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.23, 2001" be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

French Creek Pollution Control Centre Annual Report on Odour Control.

MOVED Director Westbrook, SECONDED Director Stanhope, that the '2000 Annual Odour Report for the French Creek Pollution Control Centre' be received.

CARRIED

Funding Request from Green Communities Nanaimo – Residential Source Control & Volume Reduction Education.

MOVED Director Westbrook, SECONDED Director Holme, that the RDN enter into an agreement with Green Communities Nanaimo to provide residential source control and volume reduction education for \$3,420,00.

CARRIED

OTHER

Security Issuing Bylaws – Nanoose Bay Bulk Water Supply and French Creek Bulk Water Supply.

MOVED Director Holme, SECONDED Director Macdonald,

1. That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1239, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
2. That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1242, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
3. That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1243, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
4. That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1244, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
5. That "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1245, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
6. That "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1246, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
7. That "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1247, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
8. That "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1248, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.
9. That "Regional District of Nanaimo (French Creek Bulk Water Supply) Security Issuing Bylaw No. 1249, 2001" be introduced, given three readings and forwarded to the Inspector of Municipalities for approval.

CARRIED

ADJOURNMENT

MOVED Director Krall, SECONDED Director Holdom, that this meeting terminate.

CARRIED

TIME: 8:19 PM

CHAIRPERSON

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REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE CORPORATE & COMMUNITY SERVICES
COMMITTEE MEETING HELD ON TUESDAY, JULY 24, 2001,
AT 8:19 P.M., IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, B.C.

Present:

Director J. Stanhope	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Alternate	
Director M. Young	Electoral Area C
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director T. Krall	City of Nanaimo
Alternate	
Director R. Cantelon	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	General Manager, Corporate Services
M. Donnelly	Manager, Transportation Services
J. Finnie	General Manager, Environmental Services
C. McIver	Manager of Solid Waste
D. Trudeau	Manager of Liquid Waste
P. Shaw	Manager of Community Planning
S. Schopp	Manager of Inspection & Enforcement
N. Tonn	Recording Secretary

DELEGATIONS

Andrew Speed, Deputy Fire Chief, Errington Fire Department, re Vehicle Acquisition Proposal.

Mr. Speed presented an overview of the proposed used fire engine acquisition proposal between the Errington Fire Department and the Province of BC Coastal Fire Center.

George Klemm, Captain, Errington Fire Department, re Vehicle Acquisition Proposal.

Mr. Klemm declined to speak but made himself available for any additional questions which were not answered by the previous speaker.

MOVED Director McLean, SECONDED Director Jepson, that the delegations be received.

CARRIED

MINUTES

MOVED Director Westbroek, SECONDED Director Sherry, that the minutes of the Corporate and Community Services Committee meeting held on June 5, 2001 be adopted.

CARRIED

CORRESPONDENCE/COMMUNICATIONS

Marie Crawford, UBCM, re Rescue Services on Rural Highways.

MOVED Director Sherry, SECONDED Director McNabb, that the correspondence received from UBCM with respect to the provincial response to the 2000 resolution put forward by the Board regarding rescue services on rural highways, be received.

CARRIED

G.R. Peterson, Northwest Nanoose Residents Association, re Waterfront and Beach Access Issue – Parks and Open Space Plan.

MOVED Director Sherry, SECONDED Director McNabb, that the correspondence received from G.R. Peterson, Northwest Nanoose Residents Association with respect to waterfront and beach access management within Nanoose, be received.

CARRIED

Mike Gray, Norwest Nanoose Residents Association, re Nanoose Parks and Open Space Plan.

MOVED Director Sherry, SECONDED Director McNabb, that the correspondence received from Mike Gray, Northwest Nanoose Residents Association, with respect to the Association's request for amendments to the Nanoose Bay Parks and Open Space Plan, be received.

CARRIED

UNFINISHED BUSINESS

From the Board Meeting held July 10, 2001.

MOVED Director Macdonald, SECONDED Director Krall, that the Errington Fire Department be authorized to approach the Province of BC Coastal Fire Service with an offer to trade firefighting vehicles, with an overall budget target of \$130,000.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Young, Quittenton, Westbroek, Sherry, Jepson, Sperling, Macdonald, Holdom, McNabb, Elliott, Krall, Korpan, Cantelon and Stanhope voting in the affirmative and Director McLean voting in the negative.

ADMINISTRATION

Treaty Negotiations Update – B. Sperling.

Director Sperling providing an update of the ongoing Treaty Negotiations.

MOVED Director Sherry, SECONDED Director Westbroek, that the verbal report with respect to Treaty Negotiations, be received.

CARRIED

Application for Temporary Change to Liquor Licence – Cassidy Inn – 2954 Trans Canada Highway – Area A.

MOVED Director Elliott, SECONDED Director McNabb, that the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for September 9, 2001 be approved.

CARRIED

RECREATION AND PARKS

Vancouver Island Recreational Corridor.

MOVED Director McLean, SECONDED Director Quittenton, that the Board decline to sign the Vancouver Island Recreational Corridor Memo of Understanding at this time given the current priorities for regional district trail system development and the limited resources available to participate in their planning processes.

CARRIED

Qualicum Bay Lions Club Lease of Community Centre and Lighthouse Community Park – Area H.

MOVED Director Quittenton, SECONDED Director McLean, that the lease agreement between the Qualicum Bay Lions Club and the Regional District of Nanaimo for the property legally described as: Lot A, District Lot 32, Newcastle District, Plan 45846 for a ten year term be approved.

CARRIED

Regional Parks Act – Request for Additional Power Under Section 801 of the Local Government Act.

MOVED Director Sherry, SECONDED Director Westbroek, that the Lieutenant Governor in Council be requested to grant to the Regional District additional power under Section 801 of the *Local Government Act* to acquire and manage land for a regional park or regional trail by way of a permit or a license or a lease for any term where that land has been designated for the regional park or regional trail under Section 4(1)(a) of the *Park (Regional) Act*.

CARRIED

SPECIAL EVENT/SPECIAL OCCASION APPLICATIONS

Status Reports.

MOVED Director Macdonald, SECONDED Director Sherry, that the Special Event/Special Occasion status reports be received for information.

CARRIED

Special Event Permit/Special Occasion License Applications – Unicorn Farm – September 8, 2001 – Area F.

The Chairperson noted that these reports are presented to the Committee for information and do not require Board approval.

TRANSIT

Special Event Application – Royal Canadian Legion’s 75th Anniversary Celebrations – September 8, 2001 – Request for Bus Service.

MOVED Director Westbrook, SECONDED Director Sherry, that the Transit Special Events request by the Royal Canadian Legion – Branch #10 for shuttle service to be provided on Saturday, September 8, 2001 be approved.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Lantzville Parks & Open Space Committee.

MOVED Director Jepson, SECONDED Director Quittenton, that the minutes of the Lantzville Parks & Open Space Committee meeting held June 25, 2001 be received for information.

CARRIED

Gabriola Island Parks and Recreation Commission.

MOVED Director Sperling, SECONDED Director Westbrook, that the minutes of the Gabriola Island Parks and Recreation Commission meeting held June 18, 2001 be received for information.

CARRIED

MOVED Director Sherry, SECONDED Director Westbrook,:

1. That the staff report on the proposed development of a Gabriola Island Community Recreation Association be received for information.
2. That the Regional District, through the Commission, work with the Community to provide for the establishment of a non-profit society (Gabriola Island Community Recreation Association) to deliver recreation services on the Island starting in January 2002.
3. That staff initiate the development of an agreement to advance funding and other arrangements with a society established to provide for the delivery of recreational services on Gabriola Island.

CARRIED

MOVED Director Sperling, SECONDED Director Sherry, that the minutes of the Gabriola Island Parks and Recreation Commission meeting held July 16, 2001 be received for information.

CARRIED

MOVED Director Sperling, SECONDED Director Sherry, that the resolutions from the July 16, 2001 Gabriola Island Parks and Recreation Commission meeting be received for information.

CARRIED

District 69 Recreation Commission.

MOVED Director Quittenton, SECONDED Director McLean, that the minutes of the District 69 Recreation Commission meeting held June 21, 2001 be received for information.

CARRIED

ADJOURNMENT

MOVED Director Sherry, SECONDED Director Holme, that this meeting terminate.

CARRIED

TIME: 8:32 PM

CHAIRPERSON

**Minutes for the meeting held:
Wednesday, July 18, 2001, 7:00 PM
Regional District of Nanaimo Administration Office Committee Room
6300 Hammond Bay Road, Nanaimo, BC**

Present:
Chuck Gahr
George Legg
Jane Armstrong

Director George Holme
Christina Thomas

Regrets:
Robert Jepson
Dennis Gell
Ruth Matson
Allan Armstrong
Kathleen Lewis
Terrence Knight
Felicity Adams

Brian Anderson
Suzanne Andre
Carmi Simpson
Graham Shuttleworth
Frank Van Eynde
Angus Weller

1. Call to Order

Director Holme called the meeting to order at 7:00 PM.

2. Minutes of the June 20, 2001 Meeting

The minutes for the June 20, 2001 meeting were received as presented.

3. Review Growth Management Plan Review 2001-2002 Consultation Plan

C. Thomas reviewed the public consultation plan for the Growth Management Plan Review, pursuant to the Terms of Reference for the project. The purpose and methods of the four phases of the consultation program for the project were summarized. Feedback was requested regarding public consultation undertaken to date and consultation to be undertaken as a part of the project. Committee members suggested that it would be beneficial to seek the involvement of non-governmental organizations in the project, and that the Regional District of Nanaimo web site is a useful source of information about planning projects. The Committee discussed the challenges of involving the public in planning processes given competing demands for citizen time.

4. Information About Zoning and Official Community Plans

In response to a previous Committee request for information about zoning and official community plans, C. Thomas explained the purpose of official community plans, the required and optional content of official community plans, the purpose of zoning bylaws, what zoning bylaws regulate, and exceptions to zoning including development variance permits, Board of Variance permits, and legal non-conforming status. The official community plan and zoning for Nanoose Bay were used as examples to illustrate these concepts.

5. Any Other Business?

No other business was raised.

6. Adjournment

Director Holme adjourned the meeting at 8:30 PM.

Chair, Director George Holme



**REGIONAL
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OF NANAIMO**

REGIONAL DISTRICT OF NANAIMO			
AUG - 7 2001			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>Bid</i>	

MEMORANDUM

TO: Pamela Shaw
Manager, Community Planning

DATE: August 7, 2001

FROM: Deborah Jensen
Planner

FILE: 3360 30 9601

SUBJECT: Amendment Application 9601 - Bylaw No. 500.202 – Caillet
Electoral Area 'D' – Biggs Road

PURPOSE

To consider Bylaw No. 500.202 for adoption.

BACKGROUND

Bylaw No. 500.202 was considered by the Board and given 1st and 2nd reading on April 9, 1996. A public hearing was held on May 2, 1996, and the Board granted the Bylaw 3rd reading on May 14, 1996.

The intent of Bylaw No. 500.202 is to rezone the subject property from Rural 1 (RU1), Subdivision District 'D' and Rural 2 (RU2), Subdivision District 'D', to Recreation 3 (RC3), Subdivision District 'Z', and Rural 1 (RU1), Subdivision District 'D' to allow for expansion of an existing campground facility (see Schedules No. 2 and 3).

The subject property, previously referred to as Part of Lot A, Section 20, Range 2, Mountain District and District Lot 21, Wellington District, Plan 28460, Except Part in Plans 40950 and 41667, received subdivision approval subsequent to 3rd reading of Bylaw 500.202 and the legal description is now cited as Lot 1, Section 20, Range 2, Mountain District and District Lot 21, Wellington District, Plan VIP63003, and Lot A, Section 20, Range 2, Mountain District and District Lot 21, Wellington District, Plan 28460, Except Part in Plans 40950, 41667, VIP63003 and VIP63004.

At 3rd reading of this amendment application, the Conditions for Approval included the following:

Establishment of a statutory right-of-way over all portions of the trail linking Biggs Road to Benson Creek Falls Park located on that part of the subject parcel located to the south of Biggs Road. The right-of-way should extend a minimum of 3.0 m (9.8 ft) in each direction from the centre line of the trail. A minimum 6.0 m (19.7 ft) right-of-way shall also be provided abutting the subject parcel's western property line from Biggs Road south to that point where the trail enters the subject parcel.

Subsequent to 3rd reading, further discussion between the applicant and staff determined that placement of this right-of-way connecting Biggs Road with Benson Creek Falls Park was quite limited due to physical constraints and land tenure. Therefore, staff suggest this right-of-way requirement be waived as a condition of approval.

As the conditions of Schedule 1 have been completed, the Bylaw may now be considered for adoption by the Regional Board.

ALTERNATIVES

The following options are available for consideration:

1. To adopt Bylaw 500.202.
2. To not adopt Bylaw 500.202, and to give further direction to staff.

VOTING

All directors except Electoral Area 'B' – one vote.

SUMMARY/CONCLUSIONS


"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.202, 1996" was given 1st and 2nd reading on April 9, 1996. A Public Hearing was held on May 2, 1996, and the Bylaw was given 3rd reading on May 14, 1996. As the recommended conditions for adoption have been completed, the Bylaw can now be considered for adoption.

The following recommendations are provided for consideration by the Board.

RECOMMENDATIONS

1. That the Condition of Approval as outlined in the 3rd reading Report to the Board of May 14, 1996 requiring the establishment of a statutory right of way over the subject property be waived.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.202, 1996" be adopted.

Report Writer

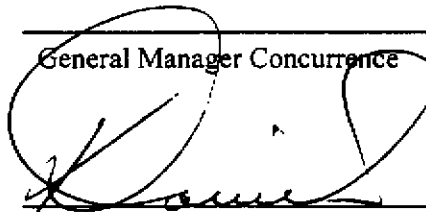


Manager Concurrence

COMMENTS:

reports/development/20001/za 3360 30 9601 au brd Caillet adopt.doc

General Manager Concurrence

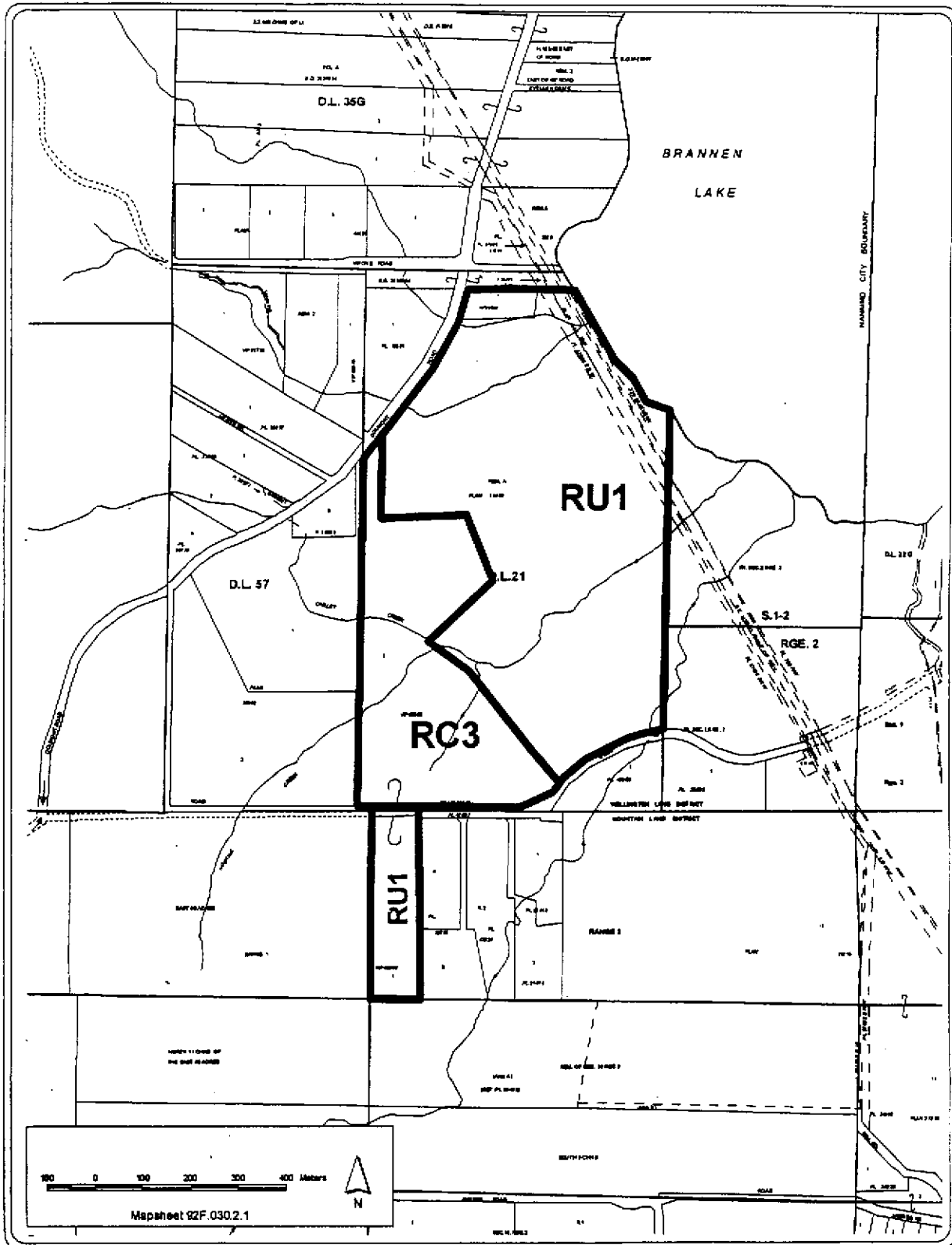


CAO Concurrence

Schedule 1
Conditions for Approval
Zoning Amendment Application No. 9601

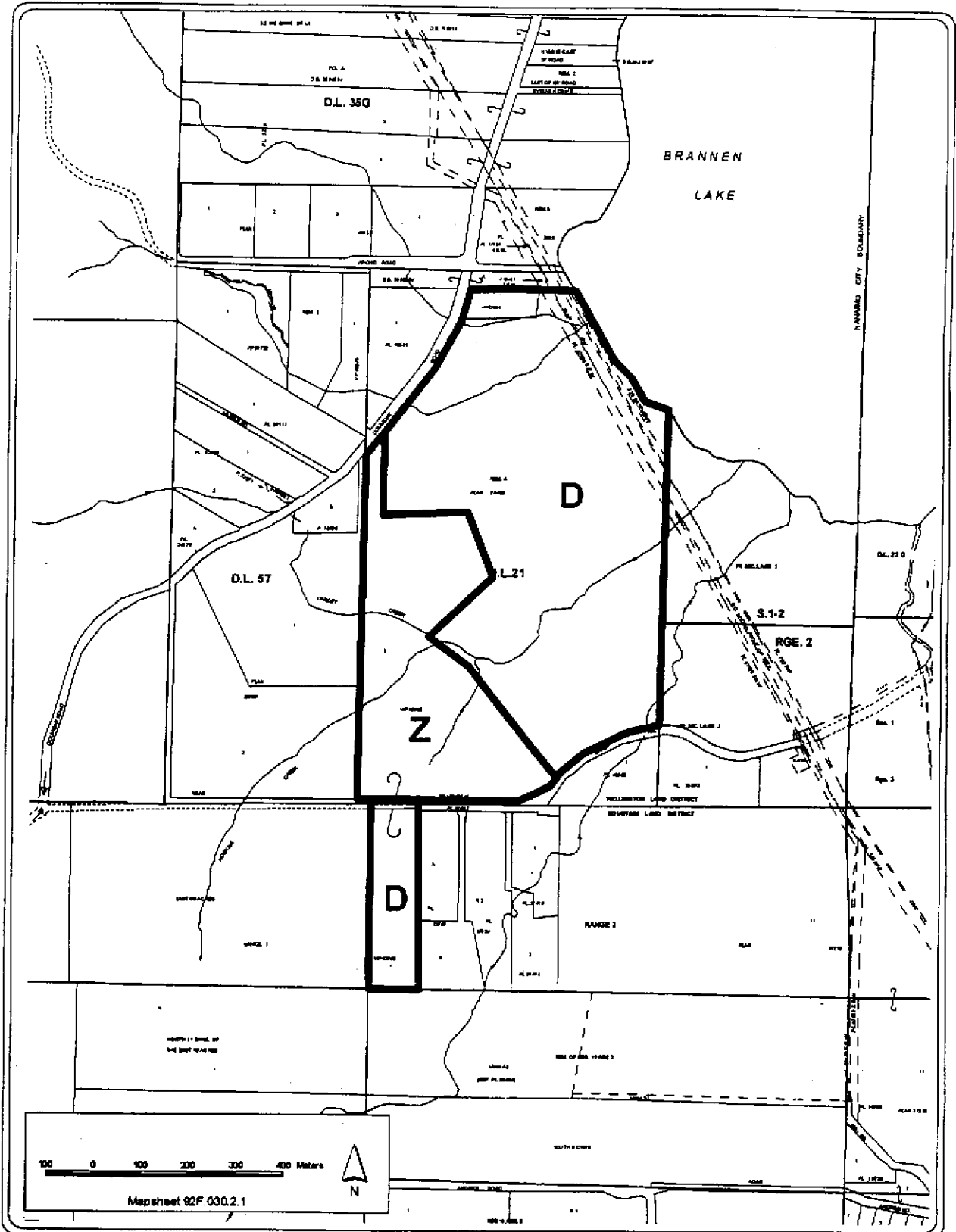
1. Registration of a restrictive covenant limiting the development of the campground to a maximum of 120 sites (as amended at the March 19, 1996 Development Services Committee regular meeting).
2. Registration of a restrictive covenant prohibiting permanent campground users.
3. Registration of a restrictive covenant prohibiting the development of buildings or structures and/or the removal of natural vegetation from within 15 m of the Biggs and Doumont Road frontages.
4. Registration of a restrictive covenant ensuring that any future package treatment facility be designed to be connected to a community sewer system at a later date and that the plant be operated by a certified operator with experience in operating package treatment plants.
5. Confirmation that all Ministry of Environment, Lands and Parks and/or Ministry of Health requirements and permits regarding sewerage disposal and water service have been met.
6. Confirmation that the Agricultural Land Commission's requirements of fence construction and covenant registration have been met.
7. Final approval of the subdivision of Lot A, Section 20, Range 2, Mountain District and District Lot 21, Wellington District, Plan 28460, Except Part in Plans 40950 and 41667.

Schedule 2



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Schedule 3





REGIONAL
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REGIONAL DISTRICT OF NANAIMO			
AUG - 7 2001			
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CAO		GMDS	
GMCrs		GMES	
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MEMORANDUM

TO: Pamela Shaw
Manager, Community Planning

DATE: August 3, 2001

FROM: Lindsay Chase
Planner

FILE: 3360 30 0103

SUBJECT: Temporary Use Permit No. 0103- Fairwinds Development Corporation
Electoral Area 'E' - Lot 56, Andover Drive

PURPOSE

To receive the minutes of a Public Information Meeting and consider Temporary Use Permit No. 0103 application for a real estate office on Andover Drive in Fairwinds.

BACKGROUND

The Regional District received temporary use permit application from the Fairwinds Development Corporation for a commercial real estate office in the RS5 zone in the Fairwinds Community. The subject property is legally described as Lot 56, District Lot 8, Nanoose District, Plan VIP68559. The proposed site is also located within a designated form and character development permit area (see Attachment 1).

A Public Information Meeting for this application was held on August 2, 2001 at Schooner Cove Resort. Approximately 35 people attended this meeting. The summary is attached for the Board's consideration (see Attachment 2 - Summary of Proceedings of a Public Information Meeting).

The applicant is proposing the relocation of the existing Royal LePage Real Estate Office on Fairwinds Drive to the proposed site on Andover Drive. The Royal LePage Office has been located on this site (as allowed by temporary use permits) for more than 10 years. The applicant has indicated that the relocation of this office is necessary due to the change in ownership of Fairwinds lands and the new owner's desire to proceed with a marketing program. The applicant indicated that the new owner might be constructing show homes and a presentation center similar to that at Craig Bay on or near the present location of the realty office.

Pursuant to the *Local Government Act*, a temporary use permit is valid for a period of 2 years and, at the end of 2 years, the applicant may apply to renew the permit for an additional 2 years.

ALTERNATIVES

1. To approve Temporary Use Permit No. 0103 and Development Permit No. 0117.
2. To deny Temporary Use Permit No. 0103 and Development Permit No. 0117.

PUBLIC CONSULTATION IMPLICATIONS

A Public Information Meeting was held on August 2, 2001 on the proposed commercial realty office. At the Public Information Meeting, citizens indicated that increased traffic in a residential area was a concern, as was the potential for the continual renewal of the temporary use permit. Those in attendance at the meeting also indicated that they had concerns regarding the potential for multiple commercial offices in residential areas and that the existing trailer was not in keeping with the form and character of development in the Fairwinds area. A number of speakers indicated that there were other locations with much higher volumes of traffic that would be more suitable for such a use. The applicant indicated that the site on Andover Road was considered to be the most suitable site due to ownership and servicing issues. The applicant also indicated that the new owners would like to locate show homes and a sales center in the vicinity of the current location of the realty office.

At the Public Information Meeting, it was apparent that the residents in the area do not support the application. In addition, they questioned the selection criteria and indicated that there were other sites that should be considered; especially on Fairwinds Drive where traffic volumes (and visibility) is highest.

DEVELOPMENT IMPLICATIONS

Temporary Use Permit No. 0103 conforms to the policies contained within the Fairwinds Land Use Designation within the "Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" in that the OCP allows consideration of real estate offices as a temporary use.

However, the proposed location is not located on a major road, which will likely necessitate the construction of additional signage directing vehicular traffic. From a marketing standpoint a location on a major road is preferable to one on a low visibility street. In terms of the surrounding residential development, the proposed use is out of character, and as Andover Road is not currently a major vehicular artery, additional traffic is likely to be generated on this residential road. In addition, there is the potential for a proliferation of realty offices in the Fairwinds area should the new owners proceed with plans for a 2nd realty office.

It is staff's assessment that combining the proposed new show homes (of the new owner Intracorp) and the existing realty office would be in the best interest of the community in terms of lessening impact on existing residential areas and also in terms of being able to capture drive by traffic for sales purposes. Although the Andover Road site may be the best site from the point of view of the applicant, as it is the easiest site to develop, it does not appear to be the best site from the viewpoint of the community. In addition, there are other potential sites that do not appear to have been fully evaluated.

Finally, there are issues surrounding the continuing issuance of temporary use permits that in effect make a use somewhat permanent. The current site has been in operation for more than 10 years, and if the applicant continues to apply for renewals and new permits, the proposed site has the same potential.

SUMMARY/CONCLUSIONS

A Public Information Meeting regarding Temporary Use Permit No. 0103 was held August 2, 2001. A summary of the proceedings of the Information Meetings is attached for the Board's consideration.

Residents in the area voiced concerns regarding increases in traffic, the commercialization of a residential area, and the potential for the use to become more or less permanent through multiple renewals of the temporary use permit. Residents also indicated that alternate sites should be considered prior to the consideration of the Andover site as the most suitable location.

From staff's perspective there are several development implications including the location of an office in a residential area, increased traffic on Andover Road, the potential for a proliferation of offices operating under temporary use permits, the lack of information on other potential sites, and the potential for the temporary use permit to be continually renewed thus making the use appear permanent.

Based on community feedback and staff's review of the application, staff recommends against the issuance by resolution of temporary use permit No. 0103 to relocate the Royal LePage realty office in Fairwinds to Andover Drive.

RECOMMENDATIONS

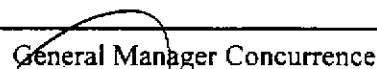
1. That the minutes for a Public Information Meetings held August 2, 2001 for Temporary Use Permit No. 0103 submitted by Dave Scott, acting as agent for Fairwinds Development Corporation, to locate a commercial realty office on the subject property legally described as Lot 56, District Lot 8, Nanoose District, Plan VIP68559 be received for information.
2. That Temporary Use Permit No. 0103, submitted by Dave Scott, acting as agent for Fairwinds Development Corporation, to locate a commercial realty office on the subject property legally described as Lot 56, District Lot 8, Nanoose District, Plan VIP68559 be denied.
3. That Development Permit No. 0117, submitted by Dave Scott, acting as agent for Fairwinds Development Corporation, to locate a commercial realty office on the subject property legally described as Lot 56, District Lot 8, Nanoose District, Plan VIP68559 be denied.



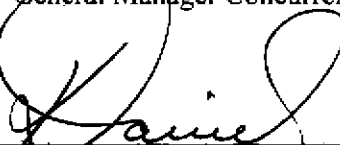
Report Writer



Manager Concurrence



General Manager Concurrence

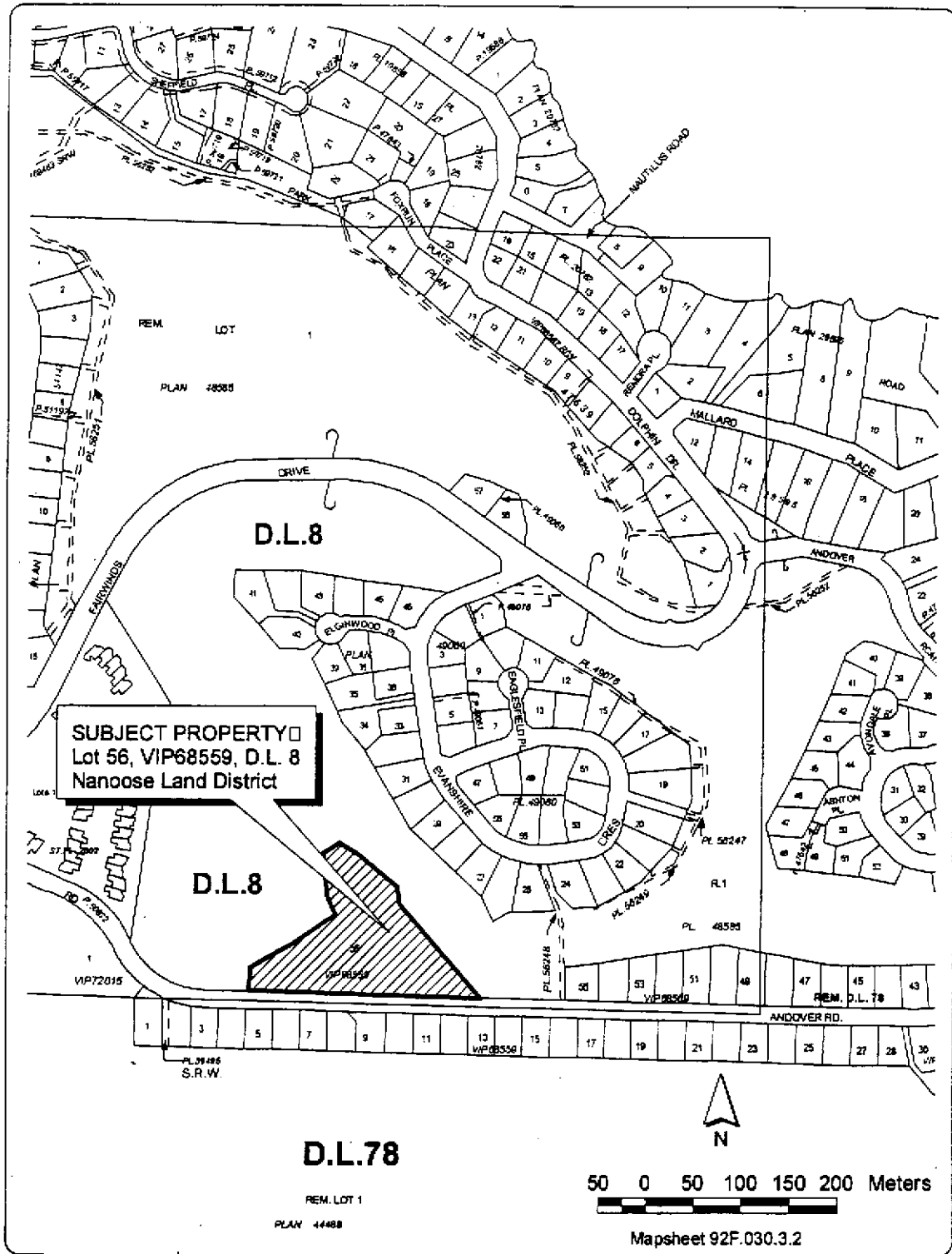


CAO Concurrence

COMMENTS:

reports/development/2001/tup 3360 30 0103 au brd fairwinds pim.doc

Attachment 1 Subject Property Location



**Attachment 2
Public Information Meeting Minutes**

REGIONAL DISTRICT OF NANAIMO

**SUMMARY OF PROCEEDINGS OF A PUBLIC INFORMATION MEETING HELD THURSDAY
AUGUST 2, 2001 AT 7:00 PM AT SCHOONER COVE RESORT TO CONSIDER TEMPORARY USE
PERMIT 0103**

Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Information Meeting.

Present:

G. Holme	Director, Electoral Area 'E'
J. Stanhope	Director, Electoral Area 'G'
Dave Scott	Fairwinds Development Corporation
Pamela Shaw	Manager, Community Services
Lindsay Chase	Planner

There were approximately 35 people in attendance.

Director Holme opened the meeting at 7:00 pm and followed with greetings and an introduction of the head table and provided a general overview of the purpose of a public information meeting.

The Manager, Community Services provided an overview of the Temporary Use Permit Process.

Dave Scott provided a general overview and the reasons for the site on Andover Road being selected as the proposed location for the realty office. Mr. Scott indicated that the old owners of Fairwinds own the site on Andover Road and have affiliations with Royal LePage. The new owners (Intracorp) plan to locate show homes on or near the site where the realty office is presently located.

Director Holme invited questions from the audience.

Tony Ransom of 2655 Andover Road questioned the relationship between the new and the old owners.

Dave Scott indicated there was no relationship between them.

Tony Ransom questioned what role Royal LePage has in the area of the new owners.

Dave Scott responded that they had the listing for the 85 lots for sale by the old owners. He also indicated that at present there were no lots for sale by the new owners, however there were 27 lots in the process of being registered and they would then be under development by Insight. Mr. Scott indicated that the new owners intend to put up show homes and have a discovery center much like that at Craig Bay. This will be located close to the current realty office site.

Tony Ransom indicated that he was concerned about the proliferation of realty offices in Fairwinds. His concern is not with the development of Fairwinds. He is in favor of orderly development. He has concerns with the commercialization of a residential area. He is not trying to retard the development of the area. He indicated that he was here to find a viable solution, and would like to address the issue of other potential sites. It is not his intent to move the impact to someone else's back yard.

Dave Scott replied that other sites had been examined. He indicated that for a variety of reasons including ownership, lack of sewer connections, and lack of other services the other sites were not found to be suitable. The decision to choose the Andover Road site was based on ownership and the level of servicing.

Ed Brooks of 2341 Andover asked what other locations had been considered?

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Dave Scott indicated that a location near the 4th Fairway had been examined but phone servicing would be difficult. The site near the golf course maintenance office was eliminated due to the potential hazard of golf balls from the driving range and liability if anyone was injured/automobiles damaged. A location by the tennis courts was eliminated as there was no sewer connection. He also indicated that the ownership of the site was problematic. The old owners only own residential property. He also indicated that the Andover Road site was not visible from any other houses.

Ed Brooks requested clarification from Staff regarding the renewal of Temporary Use Permits.

Pamela Shaw clarified that permits can be renewed once for a 2-year period, and after that they have to go through the original application process again.

Ed Brooks indicated that all of the issues identified by Mr. Scott on the lack of suitability of alternate sites were not insurmountable. He suggested that porta-potties could be used or a septic system installed, that telephone lines were not a significant issue. He suggested that the goal is to have the sales office on a major artery for visibility from the traveling public. He indicated that he was worried about additional traffic, however he also thought that having a sales and resale office in the area was important and that to get as much drive by traffic as possible the office should remain on Fairwinds Drive. He questioned whether once a temporary use permit is issued for a realty office if there could be multiple realty offices.

Staff responded yes, but that each one would have to go through the same process.

Hubert Baines of Andover Road asked if there was really a need for a real estate office for the 87 lots.

Dave Scott responded that the owners would like to keep the office open, and that they would eventually develop Lot 56.

Bev Watson of 2421 Andover Road asked why can't there be one realty office for the whole area?

Dave Scott responded that the 2 owners are going in different directions. Intracorp has its own sales people. Now that there are multiple players, each has their own needs.

Bev Watson stated concern over the proliferation of realty offices in the area. 2 are okay, but where does it stop?

Director Holme indicated that the Board could consider a recommendation to limit the number to 2 in the area.

Bev Watson replied that it is not a question of 1 or 2 but one of co-operation and planning for the future.

Mike Durnin of 2400 Andover Road asked what factors the Board considers in making their decision?

Pamela Shaw responded that they consider the same things as they would with a re-zoning.

Dave Jones of 2665 Andover Road asked what opportunities are available to correspond with the Board?

Pamela Shaw responded that any correspondence to the Board is included in the agenda.

Howie Christopherson of 2410 Andover asked how many lots had been sold in the past 2 and a half years?

Dave Scott indicated that approximately 10 lots had been sold. He also indicated that no advertising had been done on the lots and that the market for real estate has been very soft.

Howie Christopherson commented that he was concerned that at the current sales rate he was concerned that the realty office will be there forever.

Ron McDonough of 2371 Evanshire Crescent commented that he could see the old owners selling their lots to someone else to develop. He also commented that it seemed ridiculous to put a 10 year old trailer on the site.

Bill Evans of 2655 Andover commented that he was concerned that the trailer was unsightly and that Mr. Scott appeared to be defending a decision that was already made. He indicated that at this time it was only an application.

Tony Ransom asked about the community center and locating the realty office there.

Ed Brook indicated that the Royal LePage office was important for sales and resales in the community. He would like to see it located on a main artery where the most traffic will see it.

Dave Scott responded that the owners do not feel it is feasible to put it in other locations.

Ed Brook commented that it would take a bit more money, but it was possible.

Dave Scott indicated that in the new recreation center there would be an information center, but that there was no room for a realty office.

Jenny Ransom of 2250 Andover indicated that she thinks the new turnabout is the best location.

Ron McDonough asked what the Plan B for locating the realty office was.

Dave Scott responded that there was no Plan B.

Lea Moghrabi of 2374 Andover indicated that she intends to build on Lot 50 in the near future and that when she purchased the lot a year ago, she was not told about the relocation of the realty office, and that if she were aware she would not have purchased that lot.

Bill Evans of 2655 Andover Road asked if the existing structure had to go on the property?

Dave Scott responded that that was the intent.

Rodger Miners asked if there was room in the Administration office?

Dave Scott replied that there was not.

Ed Brook asked how many people work in the sales office and how many offices there were in the Club House?

Dave Scott indicated that the Club House offices were going to be returned to Club House use.

Ed Brook asked about the costs associated with other sites?

Dave Scott indicated the reasons for not selecting other potential sites. He asked the audience whether the concerns were over the duration of the permit. He asked if they knew for certain the office would only be there for 3 years, would they be more amenable?

The attendees indicated that the duration of use was not the issue.

Tony Ransom indicated that even though there were no houses by the site, it would still be unsightly for people who walk in the area.

The Chair asked if there were any final comments or questions. Being none, the Chair thanked those in attendance and announced that the public information meeting was closed.

The meeting concluded at approximately 8:20 pm.

Lindsay Chase
Recording Secretary



REGIONAL DISTRICT OF NANAIMO	
AUG -7 2001	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
	<i>Brd</i> ✓

MEMORANDUM

TO: Pamela Shaw
Manager, Community Planning

DATE: August 7, 2001

FROM: Deborah Jensen
Planner

FILE: 6635 07 0104

SUBJECT: Soil Conservation Permit Application 0104 – Alan Stewart
Lot 3, Plan 1981, District Lot 8, Cameron Land District
Electoral Area 'F' - 3230 Palmer Road

PURPOSE

To consider an application for a soil conservation permit for land within the Agricultural Land Reserve, as referred by the Land Reserve Commission, and to provide a resolution by the Board for issuance of a soil conservation permit.

BACKGROUND

A request has been received for a soil removal permit for a property within the Agricultural Land Reserve.

The 7.7 hectare (19 acre) subject parcel is located adjacent to Palmer Road in the Hilliers area of Electoral Area F (see Attachment 1). Lands to the north, south, east and west are located in the Agricultural Land Reserve (ALR). The applicant's stated intention is to remove fill from the subject property and redirect it to the southern portion of the property for the purpose of constructing a road to access this portion of the subject property. In addition, the removal of fill from the property will result in the development of an equestrian riding facility (see Schedule 1).

The Regional District of Nanaimo Growth Management Plan Bylaw No. 985, 1997 designates the subject property as "Resource Lands and Open Spaces" land.

The Electoral Area 'F' Official Community Plan, Bylaw No. 1152, 1999 designates the subject property as "Resource Within ALR" land (see Attachment 1).

There is currently no zoning within Electoral Area F. However, the proposed zoning bylaw for the subject property is Agriculture 1 (A1), which is the zone proposed for all lands located within the ALR in Area 'F'.

In order for operations to proceed on the subject property, approval was required from numerous government agencies, as noted below.

Land Reserve Commission - An application for special case use was submitted for an equestrian facility. This application, considered by the Land Reserve Commission in October 2000, was approved for development of a 9600 ft² indoor riding arena, a 75,000 ft² outdoor riding ring, and paddocks to accommodate the applicant's horses and four (4) boarded horses.

However, the Commission refused any placement or removal of fill, indicating that the equestrian facilities could be developed using fill and soil already on site. The Commission required the applicant discontinue placing fill on and removing soil from the property, stating that an application must be submitted under the *Soil Conservation Act* to allow such uses.

An application for a Soil Conservation Permit was submitted to the Land Reserve Commission May 10, 2001. The Land Reserve Commission recommended approval subject to conditions as outlined in *Schedule 2*. Under the *Soil Conservation Act*, these recommendations are forwarded to the Regional District of Nanaimo, and it is the responsibility of the Regional Board to issue and/or refuse issuance of the permit.

Ministry of Energy and Mines- The Ministry of Energy and Mines received a Mines Act application for the subject property on April 14, 2000. Upon receiving documentation that the Land Reserve Commission did not support the proposed extraction of aggregate materials from the subject property, the Ministry terminated the application and closed the file.

Upon notification of the Land Reserve Commission's decision to recommend approval of an application under the *Soil Conservation Act*, the Ministry of Energy and Mines subsequently waived the permitting requirements and mine site designation and allowed operations to proceed, including the removal of material from the subject property, so long as the Ministry's conditions are met and the requirements of other regulatory agencies are in place prior to commencing operations (*see Schedule 3*).

Ministry of Water, Lands and Air Protection- This Ministry has issued a Water Permit, giving the applicant permission to carry out operations in or about the wetland on the property (*see Schedule 4*).

Although approval was granted by the Ministry, concerns were expressed by Ministry staff on authorizing further dredging or filling in this wetland as it could constitute harmful alteration, disruption and destruction of fish habitat.

Ministry research indicated that resident cutthroat trout are found in the stream immediately downstream of the Palmer Road wetland. In addition, nutrient and flow contributions by the wetland, particularly during dry periods, to the French Creek watershed are significant. Located in the headwaters of the watershed, this wetland represents an important habitat feature in the landscape by: (1) protecting downstream channel stability by modifying winter storm flows; (2) producing nutrients and food for flow distribution to downstream fish and wildlife populations; and (3) improving water quality potential through the filtration processes available in the deep organic soils.

Ministry of Transportation- The applicant applied to the Ministry for an access permit to construct a driveway off of an unconstructed road located along the southern boundary of the subject property. In response, permission to construct works within right of way was granted, subject to conditions (*see Schedule 5*). One of these conditions is in reference to the applicant's ability to cut or dispose of timber

for the purpose of constructing the road. The applicant was advised that if the cutting of timber is required, permission must be granted via a License to Cut application as submitted to the Ministry of Forests. It is unknown whether the Ministry of Forests has been contacted.

ALTERNATIVES

1. To issue a soil conservation permit subject to conditions.
2. To deny the application for a soil conservation permit.

GROWTH MANAGEMENT PLAN IMPLICATIONS

The Regional District of Nanaimo Growth Management Plan Bylaw No. 985, 1997 designates the subject property as "Resource Lands and Open Space." It is suggested that resource activities in these areas should be encouraged to operate in ways that do not harm the functioning of natural ecosystems. Any operations that do occur on properties within this designation must be in compliance with local, regional and senior government regulations.

Goal 4 of the Regional District of Nanaimo Growth Management Plan Bylaw No. 985, 1997 recommends coordinated efforts to protect and restore the environment. Specifically, Policy 4D refers to the development and implementation of measures to protect the supply and quality of surface and groundwater in each jurisdiction, including measures to control agricultural practices affecting water quality and quantity.

The operations proposed for the subject property include work in and around a wetland that supplies water to nearby properties. Staff from the Ministry of Water, Lands and Air have commented that further dredging or filling in this wetland could constitute harmful alteration, disruption and destruction of fish habitat.

OFFICIAL COMMUNITY PLAN IMPLICATIONS

The Electoral Area 'F' Official Community Plan, Bylaw No. 1152, 1999 designates the subject property as "Resource Lands Within the ALR".

OCP policy states that the objectives for this designation are to: (1) support the long-term viability of the natural resource land base and protect it from activities and land uses that may diminish its resource value and potential; and (2) ensure that resource operations comply with recognized standards and codes of practice and that unreasonable impacts on the natural environment are avoided.

Section 4 of the Official Community Plan speaks to environmentally sensitive areas where the objectives are to protect the natural environment, encourage and support community stewardship of environmentally sensitive areas, promote soil conservation, and manage development to minimize the potential for personal injury or loss of property. With respect to the subject property, general policies specifically state support for the provision of setbacks, screening, vegetative buffers and berms to separate developed lands from natural features, and discourages the filling and draining of wetlands.

Although the subject property is not within a Watercourse Protection Development Permit Area, the OCP does make provisions for surface and groundwater systems, the objectives for which are to preserve and protect water quality and quantity.

ENVIRONMENTAL IMPLICATIONS

The Environmentally Sensitive Areas Atlas identifies portions of the subject property as wetland (*see Schedule 6*), and indicates the presence of unknown fish habitat and a photo-interpreted stream on the property. Given that the size of the subject property, other sites are available on the subject property for the riding ring (more distant from the wetland).

PUBLIC CONSULTATION IMPLICATIONS

Correspondence and verbal inquiries have been received on this application. Area residents have indicated concerns with surface water and the impact on individual wells for both quality and quantity, septic issues, increased traffic and associated noise on local roads, and the long term impact of removing material from in and around the swamp located on the subject property.

Area residents submitted a petition of 81 names to the Ministry of Energy and Mines requesting a public meeting, further site inspection, and evidence that the proposed works will not impact the surrounding area prior to the issuance of any permit.

SUMMARY/CONCLUSIONS


An application has been received for a soil removal permit for the removal of approximately 4,000 m³ of sand and gravel from the subject property. The intent of the proposal is to develop an equestrian riding facility on the property, as well as using some of the excess material for roadway construction along the southern boundary of the property.

Conditional approvals have been issued by the LRC, the Ministry of Energy and Mines, and the Ministry of Water, Land and Air Protection. Prior to works being initiated, the applicant requires a soil removal permit, issued by the RDN. Policies dealing with environmental protection in the Growth Management Plan and the current Electoral Area 'F' Official Community Plan do not support the applicant's proposal. Staff note that the subject property contains sufficient site area that an equestrian facility could be developed elsewhere on the property which would not interfere with the wetland in question.

Therefore, staff recommend, in the interests of compliance with GMP and OCP policy, for the protection of the natural environment, and to address area resident concerns, that this request for a permit be denied.

RECOMMENDATION

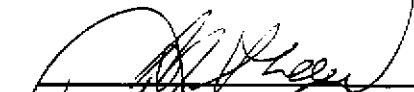
That the application for a Soil Conservation Permit under the *Soil Conservation Act* for Lot 3, District Lot 8, Cameron District, Plan 1981, be denied.



Report Writer

Manager Concurrence

COMMENTS:

devsvs/reports/2001/6635 07 0104 palmer stewart-champoux.doc


General Manager Concurrence


CAO Concurrence

SCHEDULE 1



APPLICATION UNDER SECTION 2(1) OF THE
 SOIL CONSERVATION ACT

NOTE: The information on this form is collected to process your application under the Soil Conservation Act. All applications are available for review by the public. If you have any questions about the collection and use of this information, please contact the Land Reserve Commission office.

Registered Owner(s) Stewart, Alan ^{Cl & Sarah}		Agent / Operator Champoux, Sim	
Address 3230 Palmer Rd Qualicum Beach		Address 3230 Palmer Rd Qualicum Beach	
Tel. (home) (250) (work) 752-8800	Fax.	Tel. (home) (250) (work) 752-8800	Fax. Cell 715-8308

TO REMOVE SOIL TO PLACE FILL TO REMOVE SOIL AND PLACE FILL

Municipality or Regional District Nanaimo RECEIVED LAND RESERVE MAR 15 2001

Legal Description(s)	Size of Each Parcel (Hectares)
Lot 3, Plan 1981, DL 8	
Cameron Land District	19.1 ACRES
Total Hectares	

PARCELS TO BE USED UNDER APPLICATION (Specify information on plan or sketch)

List all existing uses on the subject property
Hobby Farm
Equestrian Facility

Describe all buildings 1 Residence
1 shed
1 Barn


Describe the main physical characteristics: flat, hilly, rocky, clay or sandy soil, watercourses, roads, etc.
very sandy, fairly flat, sloping away to wetland

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SCHEDULE 1 (cont'd)



North
 East
 South
 West


 All private Residence and
 small hobby Farms



To bring topsoil onto property to be used on fields for growing pasture.

To haul away excessive excavation material for riding ring site

see attached letter.

RECEIVED
 LAND RESERVE
 COMMISSION
 MAR 15 2001



TYPE	DEPTH	VOLUME
Soil to be removed (gravel, peat, etc.)	(metres)	(cubic metres)
Gravel		Approx 4000m ³
Fill to be deposited (sand, excavation material, vegetative matter, etc.)	(metres)	(cubic metres)

- 1) What is the total surface area involved in the proposal? (Note: This includes the actual fill/removal site, processing area, topsoil storage areas, aggregate storage areas, etc.)
- 2) Are you proposing to undertake any soil processing on site? Yes - Subject to Approval Forest Ministry of Environment.
 If so, what kind of processing and what machinery would be involved? Remove peat from wetland to make pond + use screening plant to process.
- 3) Are there any agricultural activities such as livestock operations, greenhouses or horticulture activities that may be negatively affected by the fill, removal and/or processing activity?
NO.
- 4) What is the proposed term of the project? 2-3 months - Dry Season
June - Sept.

SCHEDULE 1 (cont'd)

REMOVAL OF EXISTING FILL AND REGRADATION

Upon approval of this application, I hereby undertake to fulfill the following terms and conditions which shall be deemed to be terms and conditions of the permit, if one is issued:

- 1) to remove soil or place fill in such quantities and in such manner as is specified in the permit, and in accordance with the Act, regulation and the permit;
- 2) to restore the land to a condition fit and suitable for agriculture to a standard approved by the local authority and the Commission, or to restore the land to such condition, and at such time and in such manner, as the local authority and the Commission may require;
- 3) to pay for any damage to persons or property that, in the opinion of the local authority and the Commission, was caused by the applicant and/or the operator.

I declare that the information contained in the application is, to the best of my knowledge, true and correct.

Champoux

Jan 23/01

Signature of Owner(s)

Date

The following documents MUST accompany the application:

- Application fee
- Certificate of Title or Title Search Print
- Map or sketch showing details requested
- Agent/Operator authorization (if applicable)
- East/West and North/South cross-sectional profiles of fill and/or removal area
- Photographs (referenced to a map or sketch)

RECEIVED
LAND RESERVE
COMMISSION
AUG 7 2001

NOTE: An application under the *Soil Conservation Act* requires the approval of the Land Reserve Commission AND a permit from the local authority prior to undertaking the activity. Approval of the Commission does not constitute a permit.

The approval of local, provincial and federal authorities such as the Ministry of Energy, Mines and Petroleum Resources, Ministry of Environment, Lands and Parks, Ministry of Health, Department of Fisheries and Oceans and the municipality or regional district may also be required.

SCHEDULE 2

July 19, 2001

Reply to the attention of Gordon Bednard

Regional District of Nanaimo
Box 40
Lantzville, BC VOR 2H0

Attention: Deborah Jensen

Dear Ms. Jensen:

Re: Soil Conservation Act Application #S-33837
Applicant: Stewart / Champoux
Legal Description: Lot 3, District Lot 8, Cameron District, Plan 1981

This is to advise that pursuant to the *Soil Conservation Act* (the "Act") the Land Reserve Commission (the "Commission"), by Resolution #385/2001 allowed the application subject to the conditions outlined herein.

This letter represents the Commission's written approval for the project as required by Section 2(1)(a) of the Act. ***THIS IS NOT A PERMIT.*** Pursuant to Section 5 of the Act ("the Nanaimo Regional District") may now issue a soil removal permit (the "Permit") if it wishes to do so. Please note that the Commission's approval in no way compels the Regional District to issue a Permit. If a Permit is issued it must contain the Commission's conditions of approval, and the Regional District may impose additional terms and conditions it considers necessary. If a Permit is issued, please forward a copy to this office.

Furthermore, this decision in no way relieves the owner or occupier of the responsibility of adhering to any other enactment, legislation or decision of any agency having jurisdiction.

CONDITIONS OF APPROVAL

- 1) Only up to 4000 cubic metres of sand and gravel are to be extracted from the property. It is the understanding of the Commission that some of this material will be used for road construction and fill on the southern portion of the property with only the surplus material being removed from the land.
- 2) As the area of extraction will be developed as a riding ring, the Commission will not at this time impose rehabilitation conditions. However, in the event that the riding ring is not constructed in a timely manner following extraction, the Commission may impose such measures it sees fit in order to have the land rehabilitated to an agricultural standard.
- 3) All conditions, including bonding, imposed by the Regional District permit and/or the Ministry of Mines permit must be strictly adhered to.

...2

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SCHEDULE 2 (cont'd)

RDN – July 19/01
Page 2

- 4) Please note that this approval does not include outright permission for the placement or operation of a crushing plant or the processing of material on the lands. If crushing or processing is needed, the applicant must provide written details to the Commission prior to the start of operation.
- 5) Extraction is permitted only within the area as shown on the accompanying plan. It was noted by the Commission that should extraction proceed to the limits of the area outlined in the proposal, to a depth of 3 metres as proposed, the amount extracted would be approximately 10,000 cubic metres. The Commission assumes, therefore, that the outlined area is an approximate guide for extraction and that the actual area to be extracted to a depth of 3 m would be a ± 1400 sq m area somewhere within that outline. With proper sloping of the sides as proposed, this would result in an extraction of 4000 cubic metres.

The lands are still subject to the provisions of the Act, the *Agricultural Land Reserve Act*, and applicable regulations except as provided by this decision.

Please quote the above application number in all future correspondence.

Yours truly,

LAND RESERVE COMMISSION

per:

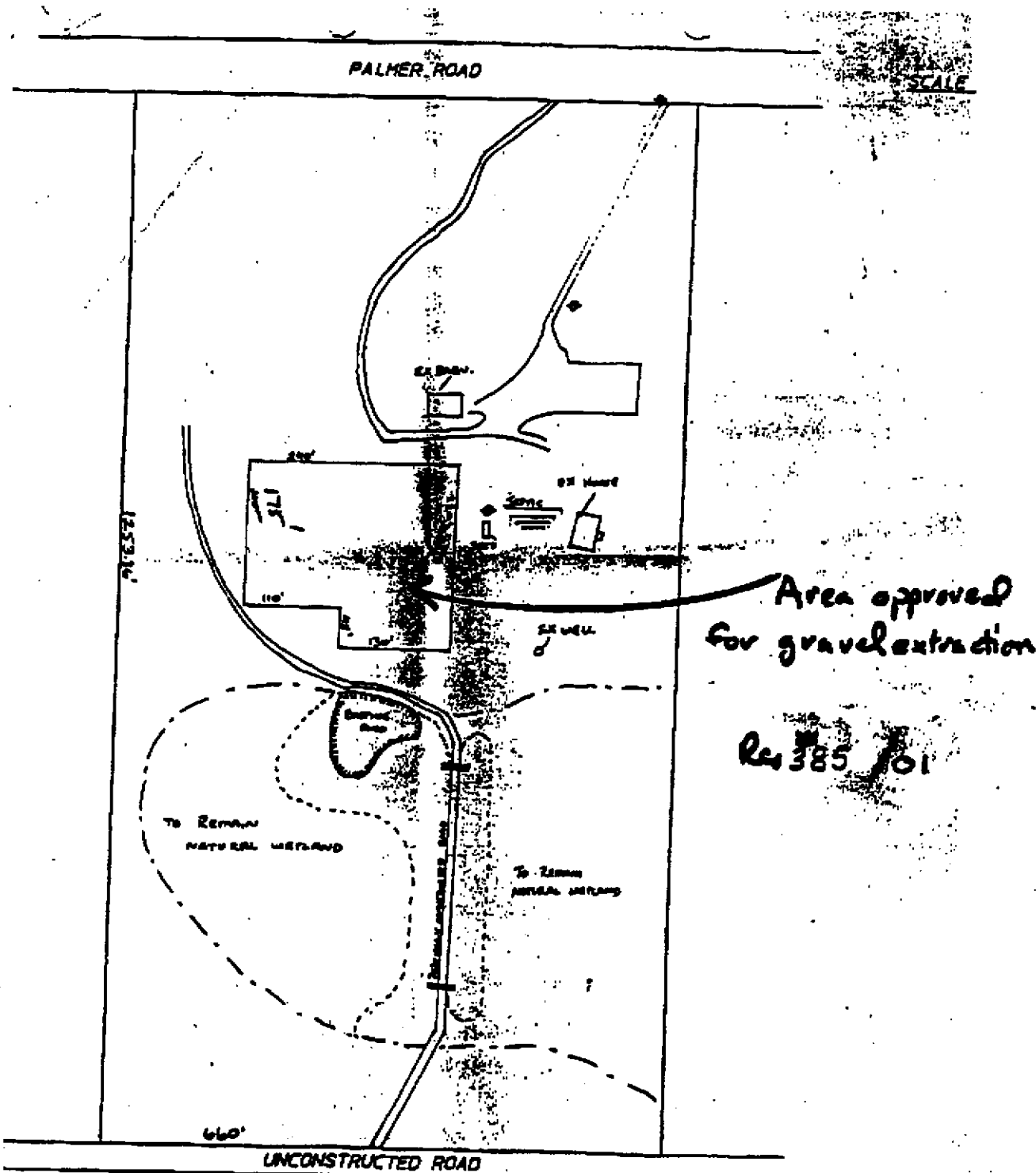


A. Chambers, Chair

cc: Sarah and Jim Champoux, 3230 Palmer Road, Qualicum Beach, BC V9K 1W4
Ministry of Energy and Mines – Nanaimo Attn: Bruce Reid
B.C. Assessment - Nanaimo

GB/iv/Eacl.
I:33837d1.doc

SCHEDULE 2 (cont'd)



Area approved
for gravel extraction

Res 385 / 01

SCHEDULE 3



July 24, 2001

14675-30\VI-SG-CHAM

Jim and Sarah Champoux
3230 Palmer Road
Qualicum Beach, British Columbia
V9K 1W4

Dear Mr and Mrs Champoux:

RE: Proposed Gravel Extraction - Lot 3, DL 8, Cameron District, Plan 1981

Your Notice of Work and Reclamation dated June 1, 2001, pertaining to the above noted gravel extraction for site development has now been reviewed. As the proposed work has the support of the Land Reserve Commission and is for a small volume over a short time period, we are prepared to waive the permitting requirements and minesite designation on the basis that:

- a) The excavation work does not escalate beyond that necessary for the development of the proposed riding ring;
- b) shipments do not exceed a total of 4400 cubic yards;
- c) material is shipped as pit run with no on site processing;
- d) final slopes are graded to an angle no steeper than 2 horizontal:1 vertical, and stabilized with an appropriate ground cover;
- e) all site work is completed within 60 days of commencement;
- f) the operator notifies this office prior to the commencement of work; and
- g) no further gravel pit development or shipments occur without acquisition of a *Mines Act* permit.

.../2

THE GOVERNMENT OF BRITISH COLUMBIA IS AN EMPLOYMENT EQUITY EMPLOYER

Ministry of
Energy and Mines

Mines Branch
Energy and Minerals Division

Mailing Address:
2080's Labeux Road
Nanaimo BC V9T 6J9

Telephone: (250) 751-7240
or (804) 860-8363
Facsimile: (250) 751-7373

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SCHEDULE 3 (cont'd)

Letter to Mr. And Mrs. Champoux
July 24, 2001
Page 2

Please proceed accordingly. It is to be noted, however, that this waiver does not exempt you from the requirements of other regulatory agencies and that you must ensure that any such approvals are in place prior to commencing operations.

I can be reached through our Nanaimo offices at (250)-751-7374 if you have any questions.

Sincerely,



Bruce Reid, P. Geo.,
Inspector of Mines

pc: Gordon Bednard, Land Reserve Commission

SCHEDULE 4



Water Act

APPROVAL CHANGES IN AND ABOUT A STREAM

Section 9 (1), Clauses (a), (b) & (c).

This Approval grants authority under Section 9 of the Water Act only and does not constitute permission or consent under any other Act or authority. This approval does not relieve the approval holder of the requirement to comply with any other applicable federal, provincial and municipal enactment. Permissions for access through private or public lands must be obtained. No right of expropriation exists under an Approval. Every person who makes a change in and about a stream, shall exercise reasonable care to avoid damaging land, works, trees, or other property, and shall make full compensation to the owners for damage or loss resulting from construction, maintenance, use, operation, or failure of the works. A change in and about a stream must be designed, constructed, and maintained in such a manner that the change does not pose a significant danger to life, property or the environment.

James L. Champoux and Sarah Sidenius

is hereby authorized to make the following changes in and about a stream:

1. remove existing gravel and sand pile
2. shape and place sand on bank
3. shape and re-vegetate organic soils

on or about:

Palmer Swamp on Lot 3, DL 8, Cameron Land District, Plan 1981

APPROVAL CONDITIONS AND SPECIFICATIONS

1. The work authorized under this Approval shall be completed on or before September 15, 2001.
2. Instream work shall be undertaken only during the period June 15th and September 15th.
3. All works are to be constructed in accordance with attached plan.
4. Machinery shall be in good mechanical condition such that there is no leakage of substances, deleterious to fish, into the stream.
5. Care shall be exercised during all phases of the work to minimize siltation and to prevent debris from entering the stream; and, where possible, all work shall be carried out from the swamp edge.
6. Vegetation along the banks of the stream shall be disturbed as little as possible and all disturbed banks of the stream shall be restored to their original condition.
7. All excavated material shall be deposited in a stable area above the high water mark of the stream.
8. The work is to be suspended if discharge of sediments cannot be controlled.

Neil G. Banera, P.Eng.
Regional Water Manager
Vancouver Island Region

File No.: A1-1057
Water District: Nanaimo

Issued: February 22, 2001

Approval No.: 1057
Precinct: Nanaimo

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SCHEDULE 4 (cont'd)



390 7511

March 30, 2001

File: A1-1057

James L. Champoux and Sarah Sidenius
3230 Palmer Rd
Qualicum Beach BC V9K 1W4

Dear James Champoux and Sarah Sidenius:

Re: Approval under Section 9 of the Water Act for Changes In and about
Palmer Swamp For Removal of Gravel and Sand Spoil Pile, Reshaping
Bank and Organic Piles on Lot 3, D1 6, Cameron Land District, Plan 1981

Further to your visit to this office on March 28, 2001, and the request to remove the excavated organic soil and enlarge the dugout in Palmer Swamp, as indicated on the attached sketch, please note that this request for change of works has been granted.

All conditions in the Approval A1-1057 will still apply.

Yours truly,

Handwritten signature of Neil G. Banera in cursive.

Neil G. Banera, P.Eng.
Regional Water Manager
Vancouver Island Region

Attachment

THE GOVERNMENT OF BRITISH COLUMBIA IS AN EMPLOYMENT EQUITY EMPLOYER

Ministry of
Environment,
Lands and Parks

Environment and Lands
Vancouver Island Region

Mailing Address:
2080A Labadie Road
Nanaimo BC V9T 6J9

Telephone: (250) 751-3100
Facsimile: (250) 751-3109

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SCHEDULE 5



BRITISH
COLUMBIA

Ministry of
Transportation
and Highways

FILE NO. 001

Permit/File Number
District

CI 23374

CENTRAL ISLAND

PERMISSION TO CONSTRUCT WORKS WITHIN CROWN LAND

The works comprising of to construct approximately 200 metres of 4 metre wide access to service property legally described as Lot 3, Plan 1981, District Lot 8, Cameron District. Sleepy Road #3897

are hereby approved in so far as they relate to the use of Crown lands, interference with public works, or other matter under the jurisdiction of the Minister of Transportation and Highways, and permission to construct, use, and maintain the said work is hereby granted to Jim Champoux, 3230 Palmer Road, Qualicum Beach BC V9K 1W4

The said approval and permission to construct, use, and maintain works is, however, at all times subject to the following conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Director, Highways.
2. That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven clear days before the work is begun.
3. That any person appointed to the Regional Director, Highways, for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. That the construction of the said works shall be commenced on or before the May 5th, 2001 and shall be prosecuted with due diligence and to the satisfaction of the Regional Director, Highways, and shall be completed on or before the July 3rd, 2001

5. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.
- (b) That, unless with the consent of the Regional Director, Highways, no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.
- (c) All trenches and excavations shall be shored, if necessary, according to the Workers' Compensation requirements. Care shall be taken to protect adjacent property.
- (d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at his own expense. All surplus material is to be removed from the Provincial Crown lands; or deposited where and as required by the District Official of the Ministry of Transportation and Highways. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.
- (e) The pipeline crossing installation is to be placed by drilling and/or jacking in such a manner as to afford minimum grade settlement. No water-jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On throughways, freeways, and main highways no open cuts will be allowed.
- (f) That all pipelines in excess of a nominal diameter of 5 cm, whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing pipe or conduit pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing pipe shall be suitably sealed and, if required, properly vented above the ground with vent pipes not less than 5 cm in diameter, and extending not less than 1.2 metres above ground surface. Vent pipes shall be connected 30 cm from the ends of the casing pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers. All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand. The inside diameter of the casing pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing pipe shall be installed with an even bearing throughout its length, and in such a manner as to prevent leakage, except through the vents. The top of the casing pipe, or the pipeline where casing is not required, shall be located as directed by the District Official and shall in no case be less than 1.2 metres below the surface of the highway and not less than 75 cm below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.

6. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its

SCHEDULE 5 (cont'd)



BRITISH COLUMBIA

Ministry of
 Transportation
 and Highways

Permit/File Number
 District

CI 23374
 CENTRAL ISLAND

26. District Highways Manager to be notified 24 hours prior to commencement of work, at 390-6100.
27. All existing drainage courses and culverts to be respected. No relocation or redirection of natural drainage course will be permitted without the prior written consent of the Ministry of Environment – Water Management Branch.
28. Our Ministry will not be responsible for locating any property lines.
29. Should survey pins or monuments be removed or damaged, they will be replaced at the permittee's expense by a BC Land Surveyor.
30. The contractor is to be supplied with a copy of the permit.
31. Where detours are available, they must be adequately designated with proper signs.
32. Applicant to provide adequate signs, barriers, flares, etc. to ensure the safety of the public and traffic at all times.
33. ~~All merchantable timber to be well-logged and disposed of by whatever means determined by Ministry of Forests. Applicant to contact Forestry prior to commencement of works.~~
34. All stumps and debris are to be removed, to the satisfaction of the District Highways Manager.
35. ~~All works to be completed to the satisfaction of the District Highways Manager prior to approval for any pole installation.~~
36. Applicant or contractor to provide proof of one million dollar liability insurance.
37. ~~This clearing is for "hydro-utility-use only" and the flagged right of way is to be cleared.~~
38. This permit does not give the applicant authorization to cut or dispose of timber. If the cutting of timber is required, the applicant must fill in the attached License to Cut application and send it to the Ministry of Forests office located at South Island Forest District, 4885 Cherry Creek Road, Port Alberni, BC V9Y 8L9 or send it via fax (731-3010). (Tele: 731-3000) Attn: Ed Klywee.
39. No gate will be allowed on road right-of-way.
40. Ministry of Environment – Fish & Wildlife Branch approval is required prior to commencement of any works in or around the wetted perimeter of the swamp if any portion encroaches on road right-of-way.

Ministry of Transportation and Highways	Ministry Employee Signature	
6475 METRAL DRIVE	(Print Name)	Nick Vandermolen
NANAIMO BC V9T 2L9	Ministry Employee Title	District Development Technician
Date (yyyy/mm/dd)		

SCHEDULE 6





REGIONAL DISTRICT OF NANAIMO	
AUG - 1 2001	
CHAIR	GMCrs
CAO	GMDS
GMCrs	GMES
	<i>Brd</i>

MEMORANDUM

TO: C. Mason
General Manager of Corporate Services

DATE: July 30, 2001

FROM: W. Thexton
Acting Manager of Financial Services

FILE:

SUBJECT: Dashwood Fire Protection Local Services Area Boundary Amendment

PURPOSE

To introduce for first three readings "Dashwood Fire Protection Local Service Area Boundary Amendment Bylaw No. 964.03, 2001".

BACKGROUND

It has recently been determined that five lots, Lots 2 to 6, in Plan VIP66682 have been paying the appropriate tax requisition for the Dashwood Fire Local Service Area since 1999 while not part of the approved Service Area boundaries as defined in Bylaws 964, 964.01 and 964.02. Also, Lot 1 is currently substantially but not completely within the boundaries of this local service area and requires a minor boundary adjustment. This situation came about when the subdivision was created in 1998 by combining parts of two older properties, one of which was in and one out of the local service area boundaries. A resolution will be presented to the Board recommending repayment of the associated tax requisition amounts paid by the owners of the five lots that are completely or substantially out of the existing local service area.

In addition, Lot A of Plan VIP69786 was created in a similar manner on November 15, 1999 and is now only partially within the local service area. This property has been set up by the BC Assessment Authority (BCAA) without a Dashwood Fire Local Service taxation code. A boundary amendment is required to bring it back into the local service area.

Petitions from the current owners of Lots 2 to 6 in Plan VIP6682 and Lot A in Plan VIP69786 have been received, requesting the inclusion of these properties within the Dashwood Fire Protection Local Service Area. The fire department has agreed to the inclusion. The Regional District has been unable to contact the owner of Lot 1 Plan VIP66682, as the mailing address listed in the BCAA database is incorrect. However, as this property only requires a minor change to correct the boundary irregularity, legal opinion supports the Board's right to adjust the boundary in such circumstances. The minor adjustment will have no impact on the owner's current property tax status.

ALTERNATIVES

1. Give the bylaw first three readings and forward to Municipal Affairs for approval.

The inclusion of these seven properties corrects a misunderstanding regarding fire support services that may have existed since the subdivisions, Plan VIP66682 and Plan VIP69786, were approved.

2. Do not approve the boundary amendment.

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FINANCIAL IMPLICATIONS


The Dashwood Volunteer Fire Department anticipates no changes to its operating expenditures as a result of these amendments. Legal advice indicates that the owners of five of the lots should be reimbursed for the taxes paid from 1999 to 2001 for fire protection services. The sixth lot (Lot 1) was substantially within the local service area boundary. The cost of reimbursement is estimated to be \$1,866.46. This amount should be paid regardless of which alternative is approved and will be the subject of a separate resolution to the Board.

SUMMARY/CONCLUSIONS


The Regional District has received petitions from the owners of Lots two to six within subdivision Plan VIP66682 and of Lot A in Plan VIP69786 to be included within the boundaries of the Dashwood Fire Protection Local Service Area. Also a minor boundary adjustment is required to fully incorporate Lot 1 of Plan VIP66682 within the local service area boundary. The Dashwood Volunteer Fire Department has agreed to this change.

RECOMMENDATION

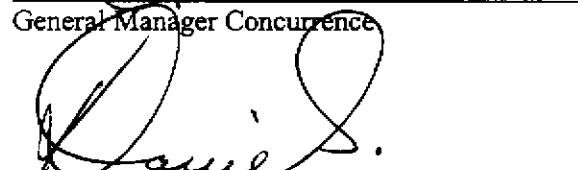
- I. That "Dashwood Fire Protection Local Service Area Boundary Amendment Bylaw No. 964.03, 2001" be received for first three readings and forwarded to the Inspector of Municipalities for approval.



Report Writer



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:

BYLAW NO. 964.03

A BYLAW TO AMEND THE BOUNDARIES OF THE DASHWOOD FIRE PROTECTION LOCAL SERVICE AREA

WHEREAS the Board of the Regional District of Nanaimo has established the Dashwood Fire Protection Local Service Area by Regional District of Nanaimo "Dashwood Fire Protection Local Service Area Conversion and Boundary Amendment Bylaw No. 964, 1996" and amended its boundaries by Bylaw No. 964.02;

AND WHEREAS the Board of the Regional District of Nanaimo has received petitions to amend the boundaries of the local service area and a minor amendment is required to fully include a lot that is substantially but not completely within the existing boundary;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "Dashwood Fire Protection Local Service Area Boundary Amendment Bylaw No. 964.03, 2001".
2. The boundaries of the "Dashwood Fire Protection Local Service Area are hereby amended to include the following properties:
 - (a) Part of Lots 1 and 2 of Plan VIP 66682 (parts currently outside);
 - (b) Lots 3 to 6 inclusive of Plan VIP 66682; and
 - (c) Lot A of Plan VIP 69786

as indicated on Schedule 'A' attached to this bylaw.

3. The amended boundaries of the "Dashwood Fire Protection Local Service Area" are shown in heavy black outline on Schedule 'C' attached to this bylaw.
4. Schedule 'C' attached to Bylaw No. 964 is hereby repealed and replaced by Schedule 'C' attached to and forming a part of this bylaw.

Introduced and read three times this 14th day of August, 2001.

Received the approval of the Inspector of Municipalities this ____ day of _____, 20__.

Adopted this ____ day of _____, 20__.

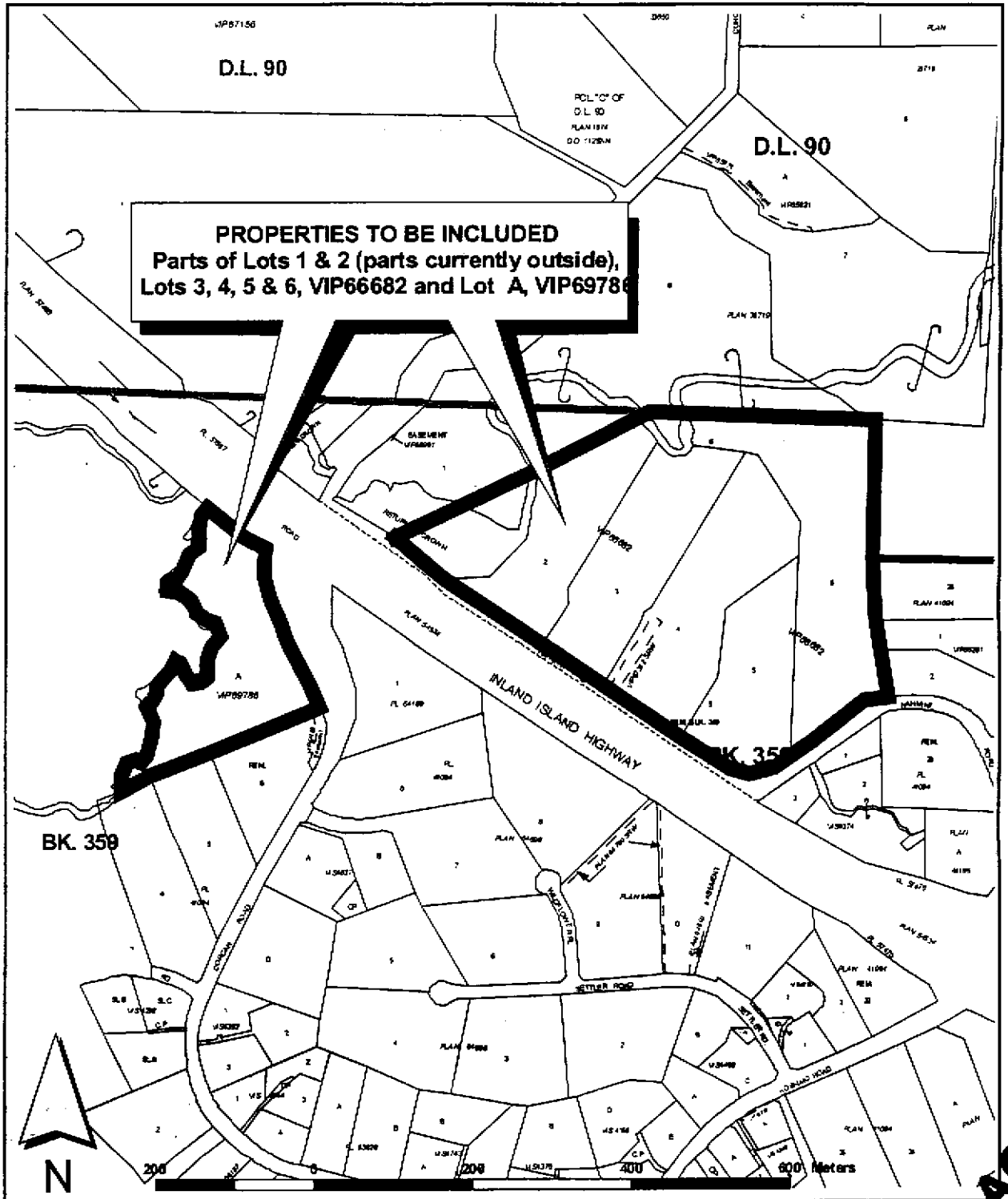
CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

PAGE 144

Chairperson

General Manager, Corporate Services





REGIONAL DISTRICT OF NANAIMO	
AUG - 3 2001	
CHAIR	GMCrS
CAC	GMDS
GMCrS	GMES
[Signature]	
DATE: August 2, 2001	
FILE:	

MEMORANDUM

TO: C. Mason
General Manager of Corporate Services

FROM: W. Thexton
Acting Manager of Financial Services

SUBJECT: Refund of Property Taxes -Dashwood Fire Protection Local Services Area

PURPOSE

To obtain Board approval to refund tax paid by the owners of five properties that were taxed from 1999 onward for Dashwood Fire support services when the properties were not within the Dashwood Fire Local Service Area.

BACKGROUND

It has recently been determined that five lots, Lots 2 to 6, in Plan VIP66682 have been paying the appropriate tax requisition for the Dashwood Fire Local Service Area since 1999 while not actually part of the approved Service Area boundaries as defined in Bylaws 964, 964.01 and 964.02. Also, Lot 1 of this subdivision was substantially but not completely within the boundaries of this local service area and required a minor boundary adjustment. This situation came about when the subdivision was created in 1998 by combining parts of two older properties, one of which was in and one out of the local service area boundaries. The BC Assessment Authority erroneously set all of the new properties up as if they were in the service area. Bylaw 964.03 has been presented to the Board for approval to correct this error by including all properties within the local service area boundaries.

The owners of one of the properties are very concerned as they have a home on the property and have obtained insurance on the basis that fire support services are available.

Legal opinion has been received recommending that the Regional District repay the associated 1999 to 2001 taxes paid by the owners of the five lots that are completely or substantially out of the existing Dashwood Fire Local Service Area. The total amount to be repaid is \$1,866.46. As Lot 1 required only a minor change to correct the boundary irregularity, it is not necessary to refund the associated taxes paid by the owner. The Dashwood Fire Department is aware of the repayment requirement. The Regional District has now received the tax requisition funds from the Surveyor of Taxes. Therefore, the Regional District can make these repayments directly to the property owners.

ALTERNATIVES

1. Repay the Dashwood Fire Local Service Area tax requisitions for 1999 to 2001 to the owners of Lots 2 to 6, in Plan VIP66682 as follows:
 - a. Folio 769 12266.520 \$274.33
 - b. Folio 769 12266.530 \$222.02

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c.	Folio 769 12266.540	\$269.02
d.	Folio 769 12266.550	\$222.02
e.	Folio 769 12266.560	\$879.07

These properties were not in the local service area but were taxed for the fire support service.

2. Do not repay the taxes paid as a result of this error.

FINANCIAL IMPLICATIONS

Legal advice recommends that the owners of these five lots should be reimbursed for the taxes paid from 1999 to 2001 for fire protection services. The repayment of \$1,866.46 would be charged to the Dashwood Volunteer Fire Department 2001 budget. The 2002 tax requisition would necessarily be increased by this amount if it cannot be absorbed within the current year budget. Therefore, all properties in the local service area would share in the cost. These properties would have had to pay this amount in any case during the tax years in question had the overall assessment base for Dashwood Fire support services not included these five lots.

If the Regional District does not repay these taxes, a financial liability may exist should any owner choose recourse to the Court.

SUMMARY/CONCLUSIONS

The owners of Lots two to six within subdivision Plan VIP66682 have paid taxes in 1999 to 2001 totalling \$1,866.46 for Dashwood Fire support services. These properties were not within the Dashwood Fire Protection Local Service Area boundaries as established by Bylaws 964, 964.01 and 964.02. Legal opinion indicates that the Regional District has a liability to repay these taxes to the property owners.

RECOMMENDATION

That the repayment of taxes paid for Dashwood Fire Protection Local Service in 1999 to 2001 by the owners of Lots 2 to 6 of Plan VIP66682 be approved.


Report Writer


General Manager Concurrence


C.A.O. Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
AUG - 3 2001	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES
	<i>Bid</i>

MEMORANDUM

TO: C. Mason
General Manager of Corporate Services

DATE: July 31, 2001

FROM: W. Thexton
Senior Accountant

FILE:

SUBJECT: Second Quarter Operating Results for 2001

PURPOSE

To present a summary of the operating results for the period ending June 30th, 2001.

BACKGROUND

A summary of the financial results from operations is presented to the Board quarterly throughout the year to show the general trend in revenues and expenditures of the District in comparison to the approved budget.

Assuming an even distribution of revenues and expenditures, the current results should approximate 50% of the budget amounts for the year. However, certain expenditures and revenues typically tend to vary considerably throughout the year. For example, contributions to reserves and certain transfer payments to other agencies are not recorded or paid until receipt of property tax funds in August. Capital expenses and professional fees may be committed but not paid until later in the year. For clarity, municipal debt transfer amounts have been removed from revenues and expenses in the actual and budget figures.

At this time, retained earnings from the prior year are shown in total (100%). Overall wages (49%), administration (51%), debt principal (51%) and debt interest (48%) costs are approximately equal to the benchmark 50% for the second quarter. Professional fees (23%) and capital expenses (11%) are well below the benchmark. Such costs are typically incurred in the second half of the year as it takes time to get the associated bids and contracts in place and the work performed.

Corporate Services

Corporate Services budgets are within the expected range for revenues and expenditures as of the completion of the second quarter. Operating revenues (55%) are as forecast. Contributions to reserves (2%) will be recorded in August. Professional fees (15%) are low, as expenses for most of the budgeted initiatives such as the database review will be paid in the latter part of the year. Other operating costs (5%) will be close to budget when a \$40,000 transfer to the Feasibility Fund and the \$54,000 firefighter allowances and honorariums are recorded. As a result, total expenses for Corporate Services to date are 40% of budget.

Community Services

Overall the Community Services financial results are within the expected range for revenues (54%) and expenditures (44%) for the first half of the year. Transit operating revenues are 51% of budget with fare box revenue for D68 Conventional Transit at 55%. Operating revenues are 47% of budget for the D69 Arena and 52% for the Ravensong Aquatic Center. Professional fees expenses for Community Services to date are only 29% of budget. Most budgeted expenses related to the growth management plan review and the D69 arena expansion have not yet been paid. Capital expenses are at 24%. The Aquatic Centre saltwater filtration system project and transit capital projects are currently in process and are not yet reflected in the financial records to date.

Development Services

The overall performance of Development Services also continues to be within budget expectations. Overall grant and operating revenues are at 51% of budget. Planning operating revenues (28%) are low due to provincial grant funds that will be received later in the year and to lower than expected zoning and subdivision applications to this point in the year. It is hoped these will pick up in the latter half of the year. Building Inspection permit fees are at a healthy 62% of budget. Total expenses for Development Services to date are at 39% of budget. Professional fees (28%) are below the budget benchmark due in part to lower legal fees paid to date for the planning, animal control and building inspection functions. Also, professional fees budgeted for OCP implementation, mapping and general planning projects will be paid later in the year. Capital expenses (10%) are also relatively low as budgeted office equipment, computers and vehicles in the Planning and Building Inspection departments have yet to be acquired.

Environmental Services

The overall Environmental Services operating/grant revenue is at 53% of budget due mainly to the fact that annual user fees for sewer and garbage services and the semi-annual fees for water usage are now reflected in the financial results. However, water use restrictions put in place for the summer are expected to have a negative impact on the total user fee revenue collected for the year. Septage receiving revenues are expected to meet the budgeted levels for the year. Solid Waste Management tipping fee revenue is 45% of the budget. Total expenses for Environmental Services are 36% of budget. Capital (5%) and professional fee (22%) expenditures are low as several major projects and initiatives are just beginning or the contracts are in the process of being negotiated. It is expected that these budgets will substantially be expended except for some partial carryover for certain projects such as the NPCC septage receiving facility and the Chase River gen set replacement. Final completion on these projects is expected about February 2002.

SUMMARY/CONCLUSIONS

The attached summaries include all financial activities recorded up to June 30, 2001. Overall, the statement reflects that 57% of revenues have been collected, including 52% of grants and operating revenues, and 39% of expenditures have been incurred. The lower expenditures reflect the fact that most budgeted professional fees and capital expenditures will be incurred later in the year and is in keeping with similar June 30th financial results in prior years.

RECOMMENDATION

That the second quarter summary report of financial results from operations to June 30th, 2001 be received for information.



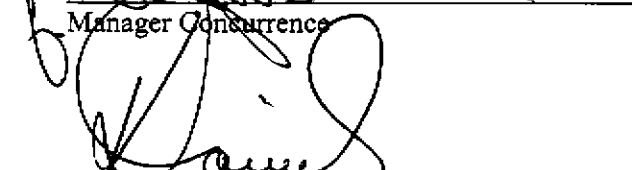
Report Writer



Manager Concurrence



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:



**REGIONAL
DISTRICT
OF NANAIMO**

GENERAL REVENUE FUND
JUNE 30, 2001

	CORPORATE SERVICES			COMMUNITY SERVICES			DEVELOPMENT SERVICES			ENVIRONMENTAL SERVICES			TOTAL REVENUE FUND		
	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR	AV 2001	BV 2001	% VAR
REVENUES															
TAX REQUISITION	\$1,794,138	\$3,588,268	50%	\$2,951,700	\$5,903,411	50%	\$601,092	\$1,202,197	50%	\$4,469,772	\$8,939,504	50%	\$9,816,702	\$19,633,380	50%
GRANTS/OPERATING/OTHER	1,081,482	1,968,428	55%	\$3,471,759	\$6,925,562	50%	338,810	667,100	51%	4,490,729	8,552,338	53%	\$9,382,780	\$18,113,428	52%
RETAINED EARNINGS	733,543	733,542	100%	\$1,107,729	\$1,107,729	100%	873,039	873,039	100%	2,269,877	2,269,876	100%	\$4,984,188	\$4,984,186	100%
TOTAL REVENUES	3,609,163	6,290,238	57%	7,531,188	13,936,702	54%	1,812,941	2,742,336	66%	11,230,378	19,761,718	57%	24,183,670	42,730,994	57%
EXPENSES															
ADMINISTRATION	\$326,895	\$572,351	57%	\$784,480	\$1,532,567	51%	\$190,705	\$444,642	43%	\$458,022	\$901,199	51%	\$1,760,102	\$3,450,759	51%
COMMUNITY GRANTS	71,764	137,906	52%	4,219	5,000	84%	0	0	0	0	0	0	\$75,983	\$142,906	53%
LEGISLATIVE	88,989	213,565	42%	0	0	0	0	0	0	0	0	0	\$88,989	\$213,565	42%
PROFESSIONAL FEES	62,295	404,575	15%	78,143	266,270	29%	114,633	414,720	28%	174,140	775,754	22%	\$429,211	\$1,861,319	23%
BUILDING OPS & MAINT	42,203	138,435	30%	176,631	403,326	44%	20,084	46,000	44%	97,003	258,450	38%	\$335,921	\$846,211	40%
VEH & EQUIP OPS & MAINT	47,927	100,841	48%	833,087	1,743,520	48%	10,740	16,600	65%	335,130	977,690	34%	\$1,228,884	\$2,838,651	43%
EQUIP OPS & MAINT	24,624	96,191	26%	15,416	53,221	29%	3,931	12,930	30%	0	0	0	\$43,371	\$162,342	27%
OTHER OPERATING COSTS	5,151	110,130	5%	147,046	279,515	53%	37,587	111,805	34%	0	0	0	\$189,784	\$501,450	38%
WAGES & BENEFITS	673,291	1,355,796	50%	3,412,808	6,802,946	50%	580,729	1,321,731	44%	1,611,790	3,280,904	49%	\$6,278,618	\$12,761,377	49%
OPERATIONAL COSTS	0	0	0	0	0	0	0	0	0	2,175,045	5,949,219	37%	\$2,175,045	\$5,949,219	37%
PROGRAM COSTS	0	0	0	54,604	269,695	20%	0	0	0	0	0	0	\$54,604	\$269,695	20%
CAPITAL EXPENDITURES	186,725	392,237	48%	67,679	278,610	24%	13,013	128,500	10%	123,446	2,624,835	5%	\$390,863	\$3,424,182	11%
DEBT FINANCING-INTEREST	3,348	6,690	50%	169,466	338,595	50%	0	0	0	842,766	1,770,415	48%	\$1,015,580	\$2,115,700	48%
DEBT FINANCING-PRINCIPAL	906	1,815	50%	108,306	177,535	61%	0	0	0	619,914	1,239,845	50%	\$729,126	\$1,419,195	51%
DEBT FINANCING-EXCHANGE	0	0	0	0	0	0	0	0	0	0	15,000	0	\$0	\$15,000	0%
CONTINGENCY	0	0	0	0	124,000	0	0	0	0	7,458	0	0	\$7,458	\$124,000	6%
CONTR. TO RESERVE FUND	5,000	214,639	2%	0	387,000	0	0	0	0	0	322,780	0	\$5,000	\$924,419	1%
CONTR. FROM RESERVE FUND	0	0	0	0	0	0	0	0	0	0	0	0	\$0	\$0	0%
TFR TO OTHER GOVT/AGENCIES	809,630	2,163,850	37%	50,000	735,834	7%	0	0	0	0	30,000	0	\$859,630	\$2,929,684	29%
TOTAL EXPENDITURES	\$2,348,748	\$5,909,021	40%	\$5,901,885	\$13,397,634	44%	\$971,422	\$2,496,928	39%	\$6,444,714	\$18,146,091	36%	\$15,666,769	\$39,949,674	39%
OPERATING SURPLUS (DEFICIT)	\$1,260,415	\$381,217		\$1,629,303	\$539,068		\$841,519	\$245,408		\$4,785,664	\$1,615,627		\$8,516,901	\$2,781,320	